DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

Report language included in House Report 112–463 ("the House report") or Senate Report 112–158 ("the Senate report") that is not changed by this explanatory statement or this Act is approved. The explanatory statement, while repeating some language for emphasis, is not intended to negate the language referred to above unless expressly provided herein. In cases where both the House report and the Senate report address a particular issue not specifically addressed in the explanatory statement, the House report and the Senate report should be read as consistent and are to be interpreted accordingly. In cases where the House report or the Senate report directs the submission of a report, such report is to be submitted to both the House and Senate Committees on Appropriations.

It is expected that each department and agency funded in this Act shall follow the directions set forth in this Act and the accompanying statement, and shall not reallocate resources or reorganize activities except as provided herein. Reprogramming procedures shall apply to: funds provided in this Act; unobligated balances from previous appropriations Acts that are available for obligation or expenditure in fiscal year 2013; and non-appropriated resources such as fee collections that are used to meet program requirements in fiscal year 2013. These procedures are specified in section 505 of this Act.

Any reprogramming request shall include any out-year budgetary impacts and a separate accounting of program or mission impacts on estimated carryover funds. Any program, project or activity cited in this statement, or in the House report or the Senate report and not changed by this Act or statement, shall be construed as the position of the Congress and shall not be subject to reductions or reprogramming without prior approval of the Committees. Further, it is expected that any department or agency funded in this Act which plans a reduction-in-force to notify by letter the Appropriations Committees of the House and Senate 30 days in advance of the date of any such planned personnel action.

It is noted that when a department or agency submits a reprogramming or transfer request to the Appropriations Committees of the House and Senate and does not receive identical responses by the House and Senate, it shall be the responsibility of the department or agency seeking the reprogramming to reconcile the differences between the two bodies before

proceeding. If reconciliation is not possible, the items in disagreement in the reprogramming or transfer request shall be considered unapproved.

In compliance with section 537 of this Act, the Departments of Commerce and Justice, the National Aeronautics and Space Administration and the National Science Foundation are directed to submit spending plans, signed by the respective department or agency head, for the Committees' review within 45 days of enactment of this Act.

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

This Act includes \$482,538,000 in total resources for the programs of the International Trade Administration (ITA). This amount is offset by \$11,360,000 in estimated fee collections, resulting in a direct appropriation of \$471,178,000. The amount provided is an increase of \$17,538,000 above fiscal year 2012. This Act assumes the \$26,000,000 in reductions proposed in the President's budget and allocates funding to the existing five business units.

SelectUSA.—Funding for SelectUSA is not included.

Interagency Trade Enforcement Center (ITEC).—Included is up to \$15,075,000 for ITEC. ITA shall submit a detailed spending plan for ITEC along with the spending plans required under section 537 of this Act.

Included are the following amounts; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Manufacturing and Services	\$46,700,000
Market Access and Compliance	48,000,000
Import Administration	80,300,000
Trade Promotion and the U.S. and Foreign Commercial Service	309,038,000
Executive Direction	24,500,000
Optimization/Consolidation	-26,000,000
Total	\$482,538,000

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

This Act includes \$101,796,000 for the Bureau of Industry and Security.

ECONOMIC DEVELOPMENT ADMINISTRATION

This Act includes \$224,800,000 for the programs and administrative expenses of the Economic Development Administration (EDA).

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

This Act includes \$187,300,000 for Economic Development Assistance Programs. Of the amounts provided, funds are to be distributed as follows; any deviation of funds shall be subject to the procedures set forth in section 505 of this Act:

Public Works	\$79,000,000
Planning	29,000,000
Technical Assistance	12,000,000
Research and Evaluation	1,500,000
Trade Adjustment Assistance	15,800,000
Economic Adjustment Assistance	50,000,000
Total	\$187,300,000

Economic Adjustment Assistance (EAA).—Activities supported include the creation of science parks, regional clusters, and other innovation strategies, and EDA is encouraged to use funds provided for the EAA program for these activities. EDA is advised to ensure that these activities do not interfere with EDA's mission to provide needed basic infrastructure to economically distressed communities through its traditional programs. In addition, Senate language is modified to include up to \$2,000,000 to support innovative, energy-efficient programs for small businesses.

Persistent poverty.—Senate report language regarding persistent poverty counties is not adopted, but instead EDA is encouraged to strengthen its efforts to improve economic conditions in poor communities, including counties affected by persistent poverty.

SALARIES AND EXPENSES

This Act includes \$37,500,000 for EDA salaries and expenses. Language from the House report regarding a Government Accountability Office (GAO) study on economic development grants is modified, and it is requested that this report be provided to the Committees on

Appropriations no later than 180 days following enactment of this Act. Senate report language regarding vacancies is modified to note that EDA is expected to fill mission critical vacancies in both headquarters and the field as quickly as possible.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

This Act includes \$28,689,000 for the Minority Business Development Agency (MBDA). MBDA is directed to implement the recommendations from the recent Inspector General inquiry into travel reimbursements for MBDA field personnel and brief the Committees on Appropriations no later than 60 days after enactment of this Act regarding implementation of accountability procedures outlined in that inquiry.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

This Act includes \$100,228,000 for Economic and Statistical Analysis.

BUREAU OF THE CENSUS

This Act includes a total program level of \$924,208,000 for the Bureau of the Census. This amount includes \$906,208,000 in direct appropriations and \$18,000,000 derived from available unobligated balances in the non-reimbursable portion of the Census Working Capital Fund.

SALARIES AND EXPENSES

This Act includes \$256,255,000 for the salaries and expenses of the Bureau of the Census.

PERIODIC CENSUSES AND PROGRAMS

This Act includes a total of \$667,953,000 for periodic censuses and programs, including \$649,953,000 in direct appropriations and \$18,000,000 from non-reimbursable Census Working Capital Fund balances.

Economic Census.—The Economic Census is strongly supported and \$138,292,000 is included for these activities, an increase of \$26,000,000 above fiscal year 2012.

American Community Survey (ACS).—Language under title V of H.R. 5326 of the 112th Congress prohibiting funding for the ACS or prohibiting penalties for non-compliance with the ACS is not adopted. However, concerns have been raised with respect to the ACS, in particular the questions on the survey and the manner in which this and other surveys are conducted by the Census Bureau. In response to these concerns, the Census Bureau has established an ombudsman position to address the concerns raised, and the Office of Management and Budget (OMB) is in the process of coordinating an evaluation of the questions included in the ACS. The Census Bureau is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act on these efforts and the steps being taken to ensure that the ACS is conducted as efficiently and unobtrusively as possible. In addition, the Department of Commerce is directed to acquire an independent analysis of the costs and benefits of making compliance with the ACS voluntary. The results of this analysis shall be provided by the Secretary of Commerce to the Committees on Appropriations no later than 180 days after enactment of this Act.

Working Capital Fund.—Senate language regarding reprogramming guidelines with respect to the Census Working Capital Fund is not adopted. The Census Bureau is directed to provide a report to the Committees on Appropriations within 30 days after enactment of this Act regarding balances in the Working Capital Fund, the intended uses of those funds and an obligation plan.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION SALARIES AND EXPENSES

This Act includes \$45,994,000 for the salaries and expenses of the National Telecommunications and Information Administration (NTIA). An increase in funding is not provided for Internet innovation programs as these activities should be included within NTIA's existing portfolio. House language regarding a National Academy of Sciences report on NTIA's Institute for Telecommunications Sciences is amended to direct that this report be provided within one year of enactment of this Act.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

This Act includes language making available to the United States Patent and Trademark Office (USPTO) \$2,933,241,000, the full amount of offsetting fee collections estimated for fiscal year 2013.

Patent infringement.—The USPTO is directed to expand its Intellectual Property

Awareness Campaign to include a special emphasis on small business concerns and independent inventors and how to increase their understanding of the steps they need to take to protect their intellectual property from patent infringement. The USPTO shall provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these efforts.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

This Act includes \$824,173,000 for the National Institute of Standards and Technology (NIST).

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

This Act includes \$621,173,000 for NIST's scientific and technical core programs. Senate language regarding the National Initiative for Cybersecurity Education is modified to direct NIST to use such sums as necessary to fund these activities. Senate language regarding NIST greenhouse gas research and atmospheric weather monitoring systems is adopted, but NIST is expected to award competitively any funding for these activities. Language modified from S. 2323 of the 112th Congress allowing NIST to locally transport its Summer Undergraduate Research Fellowship (SURF) program participants is included. This provision shall only apply to NIST's SURF program.

Centers of Excellence.—The creation of centers of excellence is supported, and \$20,000,000 is included, as requested, to establish these centers on a competitive basis.

National Strategy for Trusted Identities in Cyberspace (NSTIC).—Up to \$16,500,000 is included for NSTIC. NIST is directed to submit a spending plan for NSTIC as part of the overall spending plan required by section 537 of this Act.

INDUSTRIAL TECHNOLOGY SERVICES

This Act includes \$143,000,000 for industrial technology services, including \$128,500,000 for the Hollings Manufacturing Extension Partnership (MEP) Program and \$14,500,000 for the Advanced Manufacturing Technology Consortia (AMTech) program. House language regarding a report on AMTech is amended by directing that this report be provided to the Committees on Appropriations no later than 90 days after enactment of this Act. Also, House report language regarding a GAO report is amended by directing that this study be submitted to the Committees on Appropriations no later than 180 days after enactment of this Act. Finally, it is noted with concern that the Department remains delinquent in submitting the MEP Program report requested in Public Law 112–55, and the Secretary is directed to submit this report to the Committees on Appropriations no later than 60 days after enactment of this Act.

CONSTRUCTION OF RESEARCH FACILITIES

This Act includes \$60,000,000 for NIST construction.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

This Act includes a total of \$5,100,000,000 in discretionary funds for the National Oceanic and Atmospheric Administration (NOAA).

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

This Act includes a total program level of \$3,246,678,000 under this account for the coastal, fisheries, marine, weather, satellite and other programs of NOAA. This total funding level includes \$3,112,614,000 in direct appropriations; a transfer of \$119,064,000 from balances in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" account; and \$15,000,000 derived from recoveries of prior year obligations.

National Ocean Policy (NOP).—Section 553 of H.R. 5326 of the 112th Congress regarding the NOP is not included. However, it is noted that no funding was requested to

implement the NOP. It is expected that NOAA programs will be carried out pursuant to their authorized purposes.

The following narrative descriptions and tables identify the specific activities and funding levels included in this Act.

National Ocean Service.—\$474,742,000 is for National Ocean Service operations, research, and facilities.

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

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Program	Amount
Navigation Services: Mapping and Charting: Mapping and Charting Base Hydrographic Research and Technology Development Electronic Navigational Charts Shoreline Mapping Address Survey Backlog/Contracts	50,584 7,000 5,780 2,300 27,000
Subtotal, Mapping and Charting	92,664
Geodesy: Geodesy Base National Height Modernization	26,822 2,406
Subtotal, Geodesy	29,228
Tide and Current Data: Tide and Current Data	29,055
Total, Navigation Services	150,947
Ocean Resources Conservation and Assessment: Ocean Assessment Program: Integrated Ocean Observing System (IOOS) NOAI IOOS Coastal Storms Coastal Services Center Regional Geospatial Modeling Grants Coral Reef Program	28,500 6,432 2,495 31,330 4,000 26,775
Subtotal, Ocean Assessment Program	99,532
Response and Restoration: Response and Restoration Base Marine Debris	25,633 5,000
Subtotal, Response and Restoration	30,633
National Centers for Coastal Ocean Science: National Centers for Coastal Ocean Science Competitive Research	36,400 9,000
Subtotal, National Centers for Coastal Ocean Science	45,400
Total, Ocean Resources Conservation and Assessment	175,565
Ocean and Coastal Management: Coastal Management: Coastal Zone Management Grants Coastal Zone Management Act and Stewardship Regional Ocean Partnership Grants National Estuarine Research Reserve System	66,146 7,084 4,000 22,000
Subtotal, Coastal Management	99,230
Ocean Management: Marine Sanctuary Program	49,000
Total, Coastal and Ocean Management	148,230
Total, National Ocean Service, Operations, Research, and Facilities	474,742

National Marine Fisheries Service (NMFS).—\$826,129,000 is for NMFS operations, research, and facilities.

Regional fisheries offices.—Senate language regarding the relocation of the NMFS Northeast Regional Office is not adopted. However, NOAA's lack of responsiveness toward communities in the Mid-Atlantic area remains deeply troubling. Therefore, NOAA shall report to the Committees on Appropriations no later than 30 days after enactment of this Act regarding its plans to enhance and repair core NMFS functions in the Mid-Atlantic region in the areas of fisheries management, endangered species, habitat protection and restoration. The report shall include specific ways NMFS will: (1) streamline procedures to allow Mid-Atlantic fisheries decisions to be made locally rather than remotely, as appropriate and consistent with procedures and practices in other NMFS regions; (2) increase the Mid-Atlantic Fishery Management Council's accessibility to NOAA, consistent with the accessibility afforded to other fishery management councils; (3) reduce bureaucracy to allow difficult Mid-Atlantic issues to be brought to the attention of the NMFS Northeast Regional Office and NOAA Fisheries leadership in NOAA headquarters on an expedited basis; and (4) improve on-the-ground coordination with Mid-Atlantic fisheries partners.

For clarity, it is noted that this Act and the accompanying statement approve the proposed consolidation of NOAA's West Coast Regional Offices, not the West Coast Fisheries Science Centers.

Catch shares.—Section 543 of H.R. 5326 of the 112th Congress regarding catch shares is not included. However, NOAA is directed to provide a report to the Committees on Appropriations no later than 90 days after enactment of this Act that describes the current process in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico fisheries whereby commercial and recreational fishermen participate in the process to determine how a given fishery will be managed. This report shall also include recommendations as appropriate to ensure that entities impacted by the implementation of catch shares in the South Atlantic, the Mid-Atlantic, New England, and the Gulf of Mexico have the ability to address any concerns through the Regional Fishery Management Council process.

Turtle excluder devices.—Section 562 of H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. However, NOAA is expected to review observer reports, sea turtle stranding and necropsy data, and other information, as well as public comments, to determine whether a rule is warranted for turtle excluder devices for certain vessels operating in southeastern U.S. shrimp fisheries. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of this Act regarding these findings.

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
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Protected Species Research and Management: Protected Species Research and Management Programs Base Species Recovery Grants Marine Mammals Marine Turtles Other Protected Species (marine fish, plants, and invertebrates) Attantic Salmon Pacific Salmon	38,972 4,317 49,653 12,887 7,038 5,000 58,400
Total, Protected Species Research and Management	176,267
Fisheries Research and Management: Fisheries Research and Management Programs Base	177,260 25,200 68,645 7,300 39,000 31,555 23,200 22,100 24,336 2,200 3,800 2,000 1,017 3,440 6,589
Total, Fisheries Research and Management	437,642
Enforcement and Observers/Training: Enforcement Observers/Training	67,123 43,166
Total, Enforcement and Observers/Training	110,289
Habitat Conservation and Restoration: Sustainable Habitat Management Fisheries Habitat Restoration	21,000 20,700
Total, Habitat Conservation and Restoration	41,700
Other Activities Supporting Fisheries: Antarctic Research Aquaculture Climate Regimes and Ecosystem Productivity Computer Hardware and Software Cooperative Research Information Analyses and Dissemination Marine Resources Monitoring, Assessment and Prediction Program National Environmental Policy Act NMFS Facilities Maintenance Regional Studies	2,800 5,682 1,807 1,842 12,000 15,300 800 6,500 3,300 10,200
Total, Other Activities Supporting Fisheries	60,231
Total, National Marine Fisheries Service, Operations, Research, and Facilities	826,129

Oceanic and Atmospheric Research.—\$390,638,000 is for Oceanic and Atmospheric Research operations, research, and facilities.

Ocean Exploration.—Senate report language regarding ocean exploration partnerships related to the National Undersea Research Program (NURP) is not adopted. The proposed elimination of NURP is supported, but there is concern about terminating advanced technology and at-sea capabilities provided by existing NURP partners without proper contingency plans. NOAA is directed to determine which regional partnerships are producing the most valuable scientific information critical to supporting NOAA's exploration mission. NOAA is encouraged to prioritize in this analysis those programs with ocean-going assets, and NOAA is directed further to competitively award the funding provided above the request to preserve the work for the top centers it determines most valuable and consolidate this effort within the Ocean Exploration program, as appropriate. Senate language directing NOAA to submit an inventory of all NOAA-owned assets within the former NURP program and a plan for disposal or maintenance of these assets is retained.

OFFICE OF OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Climate Research: Laboratories and Cooperative Institutes Climate Data and Information Climate Competitive Research, Sustained Observations and Regional Information	53,350 13,003 124,000
Total, Climate Research	190,353
Weather and Air Chemistry Research: Laboratories and Cooperative Institutes U.S. Weather Research Program Tomado Severe Storm Research/Phased Array Radar Total, Weather and Air Chemistry Research	56,311 4,223 10,008 70,542
Ocean, Coastal, and Great Lakes Research: Laboratories and Cooperative Institutes National Sea Grant College Program Ocean Exploration and Research Integrated Ocean Acidification	25,500 61,800 23,665 6,400
Total, Ocean, Coastal, and Great Lakes Research	117,365
High Performance Computing Initiatives	12,378
Total, Office of Oceanic and Atmospheric Research, Operations, Research, and Facilities	390,638

National Weather Service (NWS).—\$926,116,000 is for NWS operations, research, and facilities. This amount is \$34,762,000 above revised estimates and restores reductions proposed in the budget to the tsunami program, hurricane research, forecast capabilities, and information technology staffing levels.

Local Warnings and Forecasts.—The funding recommendation includes an additional \$17,100,000 for the NWS to address current operational shortfalls identified by an investigation of financial mismanagement within the NWS and consistent with the proposed realignment of the NWS budget in the wake of the investigation. Concern remains that the inappropriate movement of funds within the NWS could have jeopardized the NWS' ability to accurately forecast the weather and that these actions may negatively impact the NWS' ability to make forecast improvements in the future. Therefore, in addition to the increases provided in this account, additional funds are provided to NWS in the Procurement, Acquisition and Construction (PAC) account to restore reductions to systems improvement activities. The NWS is directed to continue implementing corrective actions identified by the Inspector General, the Department and NOAA to ensure that the critical mission of the NWS is not compromised by financial mismanagement. In addition, dissatisfaction remains with NOAA's failure to determine the true costs necessary to support NWS operational needs. Therefore, NOAA is directed to provide a report to the Committees on Appropriations within 30 days after enactment of this Act regarding: progress made in implementing corrective actions; assessments of impacts to NWS forecast capabilities; and a timeline for providing the Committees on Appropriations with a budget that represents the true operational costs of the NWS.

National Mesonet Program.—The continuation of the mesonet program through a competitive process is supported. Senate language is clarified that NOAA is not required to integrate mesonet observations into NWS severe weather alerts, conduct pilots, or use funds to study how mesonet data can be integrated into the Advanced Weather Interactive Processing System. However, NWS is not prevented from undertaking any of these activities. The Senate's reference to NOAA Link is not adopted, but NOAA shall continue to use the most appropriate contract vehicles for information technology contracts across the agency. NOAA is directed to provide a report to the Committees on Appropriations no later than 120 days after enactment of

this Act that includes a discussion of the recommendations from the 2009 National Academy of Sciences report, *Observing Weather and Climate from the Ground Up: A Nationwide Network of Networks* and an analysis from NOAA regarding any future plans to assimilate mesonets into its enterprise.

NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Local Warnings and Forecasts: Local Warnings and Forecasts Base Air Quality Forecasting Alaska Data Buoys Sustain Cooperative Observer Network NOAA Profiler Network Strengthen U.S. Tsunami Warning Network Pacific Island Compact National Mesonet Network	655,000 3,987 1,683 1,865 4,228 23,541 3,775 12,000
Subtotal, Local Warnings and Forecasts	706,079
Operations and Research: Advanced Hydrological Prediction Services Aviation Weather WFO Maintenance Weather Radio Transmitters Subtotal, Operations and Research	8,200 21,452 6,588 2,297 38,537
Central Forecast Guidance	79,624
Total, Local Warnings and Forecasts, Operations and Research, Central Forecast Guidance	824,240
Systems Operation and Maintenance: NEXRAD ASOS AWIPS NWSTG Backup—CIP Total, Systems Operation and Maintenance	46,247 10,852 39,495 5,282
Total, National Weather Service, Operations, Research, and Facilities	926,116

National Environmental Satellite, Data and Information Service.—\$192,933,000 is for National Environmental Satellite, Data and Information Service (NESDIS) operations, research, and facilities.

NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Environmental Satellite Observing Systems: Office of Satellite and Product Operations: Satellite Command and Control NSOF Operations Product, Processing and Distribution	40,238 8,009 45,682
Subtotal, Office of Satellite and Product Operations \dots	93,929
Product Development, Readiness and Application: Product Development, Readiness and Application Product Development, Readiness and Applications (Ocean Remote Sensing) Joint Center for Satellite Data Assimilation	19,545 4,058 3,384
Subtotal, Product Development, Readiness and Application	26,987
Commercial Remote Sensing Regulatory Affairs Office of Space Commercialization Group on Earth Observations	1,119 659 505
Total, Environmental Satellite Observing Systems	123,199
Data Centers and Information Services: Archive, Access and Assessment Coastal Data Development Regional Climate Services Environmental Data Systems Modernization	48,434 4,500 7,800 9,000
Total, Data Centers and Information Services	69,734
Total, NESDIS, Operations, Research, and Facilities	192,933

Program Support.—\$436,120,000 is for Program Support.

Aircraft services.—Language from the House report regarding a GAO study on NOAA's aircraft is amended by directing that this report be provided to the Committees on Appropriations no later than 180 days after enactment of this Act.

PROGRAM SUPPORT OPERATIONS, RESEARCH, AND FACILITIES

[In thousands of dollars]

Program	Amount
Program Support: Corporate Services:	
Under Secretary and Associate Offices NOAA-Wide Corporate Services and Agency Management DOC Accounting System Payment to the DOC Working Capital Fund	27,000 108,000 9,733 35.000
Office of the Chief Information Officer: IT Security NOAA Facilities Management, Maintenance, Construction	8,431
and Safety	24,500
Subtotal, Corporate Services, Chief Information Officer, and Facilities	212,664
NOAA Education Program: BWET Regional Programs Education Partnership Program/Minority Serving Institu-	7,200
tions NOAA Education Program Base	14,000 6,000
Subtotal, NOAA Education Program	27,200
Total, Program Support	239,864
Office of Marine and Aviation Operations: Marine Operations and Maintenance Aircraft Services	166,015 30,241
Total, Office of Marine and Aviation Operations	196,256
Total, Program Support and OMAO, Operations, Research, and Facilities	436,120

PROCUREMENT, ACQUISITION AND CONSTRUCTION

This Act includes a total program level of \$1,941,036,000 in direct obligations under this heading, of which \$1,926,036,000 is appropriated from the general fund and \$15,000,000 is derived from recoveries of prior year obligations. The following narrative description and table identifies the specific activities and funding levels included in this Act:

Office of Oceanic and Atmospheric Research.—\$10,379,000 is for research supercomputing activities.

National Weather Service.—The Act restores \$12,400,000 in reductions proposed by the Commerce Department in its realignment of the fiscal year 2013 budget request required as a result of financial mismanagement issues within the NWS. Direction is included to the Department and NOAA in the Operations, Research, and Facilities (ORF) account regarding funding for NWS programs in this account.

NOAA weather satellites.—The value of NOAA's weather satellite programs cannot be overstated in terms of the data collected that is used to develop daily weather forecasts and provide citizens with ample warning about severe weather. Unfortunately, certain NOAA satellite acquisition programs, particularly the Joint Polar Satellite System (JPSS), remain mired in cost overruns, missed deadlines, dysfunctional oversight, and lack of transparency in budgeting and planning. Recent reports from an Independent Review Team (IRT) and the Department of Commerce Inspector General validate these concerns. To address these problems, the Senate recommended transferring responsibility and funding for satellite acquisition from NOAA to the National Aeronautics and Space Administration (NASA). However, concerns have been raised that transferring lead construction and acquisition responsibility from NOAA to NASA in the middle of a fiscal year could potentially result in further launch delays. Additional information to fully evaluate the implications of transferring acquisition of operational satellites to NASA is needed. Therefore, to avoid both known and unknown risks at this time, the Senate proposal to transfer NOAA satellite programs to NASA is not adopted, but instead \$1,814,309,000, an increase of \$117,664,000 above fiscal year 2012, is provided for NESDIS satellite procurement programs within NOAA. This amount includes an overall reduction of \$36,000,000 for administrative efficiencies and other savings that NOAA is expected to achieve

within its satellite portfolio. NOAA is directed to prioritize the weather missions of the Geostationary Operational Environmental Satellite (GOES) and JPSS programs within the funds provided and submit a spending plan to the Committees on Appropriations no later than 30 days after enactment of this Act with funding levels for each program, project, or activity within NESDIS PAC.

While NOAA is instituting structural changes to the management structure of JPSS as recommended by the IRT, it is equally important for NOAA to aggressively move to define JPSS requirements that prioritize the weather mission and establish a refined baseline that validates and finalizes the program scope and costs. To assist NOAA in achieving these goals, NOAA is directed to submit a report to the Committees on Appropriations no later than 90 days after enactment of this Act that includes the following information: (1) documentation that reflects total lifecycle costs for JPSS at \$11,900,000,000 and for GOES-R at \$10,860,000,000; (2) documentation that satellite requirements have been finalized and that the weather missions have been prioritized within the NOAA satellite portfolio; (3) a plan that maintains or advances, as appropriate, the launch schedules for JPSS and GOES; and (4) a plan to eliminate duplicative management costs and indirect overhead within the NESDIS satellite portfolio. As part of this report, NOAA is directed to consider transferring the Jason-3 satellite system construction to NASA as recommended by the July 2012 IRT report. Further, NOAA is directed to include in this report an update on the study underway to review options for mitigating the gap between the Suomi National Polar-orbiting Partnership (Suomi NPP) and JPSS-1 and for mitigating the loss of data in the event of a failure of either the Suomi NPP or JPSS. Within 120 days after enactment of this Act, NOAA shall submit a report to the Committees on Appropriations that includes detailed spending plans for each of the programs within the NESDIS satellite portfolio, to include amounts for administration and reserves.

This Act and the accompanying statement only reflect near-term funding needs for the remainder of fiscal year 2013. With the timely submission of these reports, NOAA will provide assurances to the Committees on Appropriations that it has prioritized the weather mission within its satellite portfolio and has stabilized the overall management of these programs to ensure that these costs do not erode other important NOAA missions. The fiscal year 2014 budget request and documents requested herein will be evaluated to determine whether NOAA has made concrete and positive changes to address the problems and directions outlined above.

NOAA Ship Ka'imimoana (KA).—An increase of \$2,600,000 above the request is included to begin repairs to the KA.NOAA is reminded to review priorities across the agency in the future to ensure that critical missions like those performed by the KA are maintained.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

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Program	Amount
Office of Oceanic and Atmospheric Research: Research Supercomputing/CCRI	10,379
National Weather Service: Systems Acquisition: ASOS AWIPS WINSTG Legacy Replacement Radiosonde Network Replacement Weather and Climate Supercomputing Cooperative Observer Network Modernization (NERON) Complete and Sustain NOAA Weather Radio NOAA Profiler Conversion Ground Readiness Project Subtotal, NWS Systems Acquisition	1,635 20,592 8,185 4,014 38,169 3,700 5,594 1,700 12,400 95,989
Total, National Weather Service—PAC	99,139
National Environmental Satellite, Data and Information Service: Systems Acquisition: NOAA satellites EOS and Advanced Polar Data Processing, Distribution and Archiving Systems Critical Infrastructure Protection Comprehensive Large Array Data Stewardship System (CLASS) NPOESS Preparatory Data Exploitation Satellite CDA Facility Efficiencies Total, NESDIS—PAC	1,833,388 990 2,772 6,476 4,455 2,228 -36,000 1,814,309
Office of Marine and Aviation Operations: Fleet Replacement: Fleet Capital Improvements and Tech Infusion (Vessel Equip and Tech Refresh) New Vessel Construction	14,312 2,897
Total, Office of Marine and Aviation Operations, PAC \ldots	17,209
Total, Procurement, Acquisition, and Construction	1,941,036

PACIFIC COASTAL SALMON RECOVERY

This Act includes \$65,000,000 for Pacific Coastal Salmon Recovery.

FISHERMEN'S CONTINGENCY FUND

This Act includes \$350,000 for the Fishermen's Contingency Fund.

FISHERIES FINANCE PROGRAM ACCOUNT

This Act includes language under this heading limiting obligations of direct loans to \$24,000,000 for Individual Fishing Quota loans and \$59,000,000 for traditional direct loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

This Act includes \$56,000,000 for Departmental Management salaries and expenses. House report language regarding domestic production capabilities is modified by directing the Secretary of Commerce to submit a report to the Committees on Appropriations no later than 120 days after enactment of this Act that reviews total existing capacity for steel slab production in the U.S. and the ability of U.S. producers to meet the demand for markets that require that steel slab be produced in the U.S. Senate report language regarding the Business USA initiative is not included.

RENOVATION AND MODERNIZATION

This Act includes \$2,040,000 for continuing renovation activities only at the Herbert C. Hoover Building.

OFFICE OF INSPECTOR GENERAL

This Act includes a total of \$32,753,000 for the Office of Inspector General. This amount includes \$28,753,000 in direct appropriations, a \$2,000,000 transfer from USPTO and a transfer of \$1,000,000 each from Bureau of the Census, Periodic Censuses and Programs and NOAA PAC for audits and reviews of those programs.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

The following general provisions for the Department of Commerce are adopted:

Section 101 makes funds available for advanced payments only upon certification of officials, designated by the Secretary, that such payments are considered to be in the public interest.

Section 102 makes appropriations for Department salaries and expenses available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriation accounts and requires 15 days advance notification to the Committees on Appropriations for certain actions.

Section 104 provides that any costs incurred by the Department in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall be subject to the reprogramming limitations set forth in this Act.

Section 105 updates congressional notification requirements for NOAA satellite programs.

Section 106 provides for reimbursement for services within Department of Commerce buildings.

Section 107 clarifies that grant recipients under the Department of Commerce may continue to deter child pornography, copyright infringement, or any other unlawful activity over their networks.

Section 108 provides the Administrator with the authority to avail NOAA of needed resources, with the consent of those supplying the resources, to carry out responsibilities of any statute administered by NOAA.

Section 109 provides a requirement directing the Department of Commerce to provide a monthly report on any official travel to China by any Commerce employee.

Section 110 includes a provision amending section 113(b)(3) of division B of Public Law 112–55 regarding the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean by striking "2012" and inserting "2013".

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

This Act includes \$110,822,000 for General Administration, Salaries and Expenses.

Eliminating duplication and improving efficiencies in DOJ grants.—As the United States experiences budgetary constraints, there is an ever-increasing need to ensure that governmental resources, including those awarded through grants and subgrants, are appropriately targeted and that unnecessary duplication is mitigated. Therefore, as directed in the Senate report, the Attorney General shall follow the recommendations of the Government Accountability Office (GAO) and report to the Committees on Appropriations within 120 days of the enactment of this Act on the efforts of the Department of Justice (DOJ) to:

- (1) conduct an assessment to better understand the extent to which DOJ grant programs overlap with one another and determine if grant programs may be consolidated to mitigate the risk of unnecessary duplication; and
- (2) direct granting agencies to coordinate with one another on a consistent basis to review potential or recent grant awards, including subgrant awards reported by DOJ prime grant awardees, to the extent possible, before awarding new grants, and take steps to establish written policies and procedures to govern this coordination and help ensure that it occurs.

Operation Fast and Furious.—In September 2012, the Office of Inspector General (OIG) submitted its comprehensive report on Operation Fast and Furious. The review revealed a series of misguided strategies, tactics, errors in judgment, and management failures that led to ATF's knowing failure to interdict firearms destined for Mexico, and criticized Department components for pursuing this strategy without adequately taking into account the danger to public safety that it created. The OIG also found that the Department failed to respond accurately to a congressional inquiry about these matters because it had relied on the very components that were

the subject of serious allegations for information, which in turn was provided to Congress. The Department later withdrew its inaccurate response.

The Department is directed to implement fully and promptly the six recommendations made in the OIG report to increase the Department's involvement in and oversight of ATF operations, improve coordination among the Department's law enforcement components, and enhance the Department's wiretap application review and authorization process. The Department shall report to the Committees on Appropriations within 60 days of enactment of this Act on the Department's progress in implementing these recommendations. All of the departments and agencies funded in this Act are expected to confirm information to be provided to Congress so that they can respond accurately to all congressional inquiries.

Prescription drug abuse.—The Attorney General is urged to collaborate with State and local organizations, including experienced nonprofits, as a means of sharing best practices for reducing prescription drug diversion and abuse, including the establishment of prescription drug monitoring programs, proper drug disposal, and increased enforcement on pill mills and doctor shopping.

Obscenity enforcement.—The Department shall submit a report no later than 90 days after the enactment of this Act on its adult obscenity investigation and prosecution workload statistics and accomplishments during the 12 months prior to the enactment of this Act.

Product procurements.—This Act continues language from the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012, directing that, to the extent practicable, promotional items purchased with funds provided by this Act shall be produced in the United States. The Department is expected to work with Federal Prison Industries, Inc. (FPI) to maintain its survey information on promotional products in a database in order to help inform the FPI board of directors of new opportunities to repatriate manufacturing, and expect that any manufacturing activities initiated as a result are intended to create new American jobs, not compete with existing United States businesses.

Prison Rape Elimination Act (PREA).—The Department is expected to continue efforts to provide assistance in the form of training, technical assistance, and implementation grants to assist State, local, and tribal jurisdictions in achieving compliance with the PREA national standards.

Drug-related violence.—Efforts by Federal law enforcement to reduce drug trafficking and associated violence in the Southwest border region have affected trafficking routes and crime rates in the Caribbean. The Attorney General is expected to address these trends by allocating necessary resources to areas substantially affected by drug-related violence, and reporting such actions to the Committees on Appropriations.

JUSTICE INFORMATION SHARING TECHNOLOGY

This Act includes \$33,426,000 for Justice Information Sharing Technology.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

This Act includes \$313,438,000 for the Executive Office for Immigration Review (EOIR) and the Office of the Pardon Attorney, of which \$4,000,000 is derived by transfer from fee collections.

OFFICE OF INSPECTOR GENERAL

This Act includes \$85,985,000 for the OIG.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

This Act includes \$12,772,000 for the salaries and expenses of the United States Parole Commission.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

This Act includes \$881,000,000 for General Legal Activities.

VACCINE INJURY COMPENSATION TRUST FUND

This Act includes a reimbursement of \$7,833,000 for DOJ expenses associated with litigating cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660).

SALARIES AND EXPENSES, ANTITRUST DIVISION

This Act includes \$162,170,000 for the Antitrust Division. This appropriation is offset by \$115,000,000 in pre-merger filing fee collections, resulting in a direct appropriation of \$47,170,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

This Act includes \$1,969,687,000 for the Executive Office for United States Attorneys (EOUSA) and the 94 United States Attorneys' offices.

Adam Walsh Act implementation.—The EOUSA is expected to continue to focus on investigations and prosecutions related to the sexual exploitation of children, as authorized by the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109–248) and as part of Project Safe Childhood. Not less than \$43,184,000 shall be available for this purpose in fiscal year 2013.

Human trafficking.—In fiscal year 2012, Congress directed each U.S. Attorney to establish or participate in a regional human trafficking task force. The accompanying statement of the managers also directed, "Task force meetings should focus specifically on combating human trafficking, with an emphasis on undertaking proactive investigations." U.S. Attorneys are expected to maintain their task force participation and leadership roles in fiscal year 2013 and to undertake proactive investigations, including investigations of persons or entities facilitating trafficking in persons through the use of classified advertising on the Internet. The Department shall submit comprehensive semi-annual reports regarding the work of each of these task forces. These reports shall also identify any U.S. Attorney's office that is not in compliance with this directive. The Department shall submit its first report not later than 60 days after the enactment of this Act.

Internet sex trafficking.—There are grave concerns that certain websites that advertise "adult services" continue to be used to facilitate sex trafficking of children. The Department is directed to assess the effectiveness of current legal and investigatory tools in addressing the use of such websites for sex trafficking and the extent to which the Department is making full and aggressive use of such tools, and report to the Committees on Appropriations on the results of that assessment not later than 30 days after the enactment of this Act. If the Attorney General

determines that there is insufficient Federal authority under which to combat this activity, the report shall include an analysis and recommendations to Congress of any legislative or administrative initiatives that may be needed to fully equip law enforcement to tackle this problem.

Pill mills.—Because of the widespread nature of prescription drug abuse, within the funds provided, U.S. Attorneys are expected to prioritize the investigation and prosecution of pain clinics serving as fronts for the illegal distribution of addictive pain killers.

UNITED STATES TRUSTEE SYSTEM FUND

This Act includes \$223,258,000 for the United States Trustee Program. The appropriation is fully offset by fee collections.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

This Act includes \$2,000,000 for the Foreign Claims Settlement Commission.

FEES AND EXPENSES OF WITNESSES

This Act includes \$270,000,000 for Fees and Expenses of Witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

This Act includes \$12,036,000 for the Community Relations Service.

ASSETS FORFEITURE FUND

This Act includes \$20,948,000 for the Assets Forfeiture Fund. The Department is directed, in exceptional circumstances, to allow the use of equitable sharing monies for the cost of support personnel.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

This Act includes \$1,196,000,000 for the salaries and expenses of the United States Marshals Service (USMS).

CONSTRUCTION

This Act includes \$10,000,000 for construction and related expenses in space controlled, occupied or utilized by the USMS for prisoner holding and related support.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

This Act includes \$1,647,383,000 for Federal prisoner detention.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

This Act includes \$90,039,000 for the salaries and expenses of the National Security Division.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

This Act includes \$521,793,000 for the Organized Crime and Drug Enforcement Task Forces (OCDETF), including \$370,602,000 for investigations and \$151,191,000 for prosecutions.

Transnational organized crime.—This Act does not include the requested increase in appropriations under this account for the International Organized Crime Intelligence Operations Center (IOC-2); instead, the Department is expected to fund all IOC-2 activities from within the overall amount provided under this heading for investigations, not to exceed \$1,000,000. The Department shall submit a report to the Committees, no later than 60 days after the enactment of this Act, detailing the staff and funding resources planned for IOC-2 in fiscal year 2013.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

This Act includes \$8,185,007,000 for the salaries and expenses of the Federal Bureau of Investigation (FBI), including \$1,689,113,000 for intelligence, \$3,330,036,000 for

Counterterrorism/Counterintelligence, \$2,663,835,000 for Criminal Enterprises and Federal Crimes, and \$502,023,000 for Criminal Justice Services.

Computer intrusions.—A program increase is included of \$23,132,000 and 112 positions for computer intrusions as described in the House report, including the submission of an annual national cyber threat assessment, and Senate report language on training for cyber agents.

Surveillance.—A program increase of \$10,244,000 is included for additional physical surveillance specialists as described in the House report, including the reporting requirement described in the House report.

Gangs.—An increase of \$9,000,000 above the request is included to combat violent gang crime. The proposal by the Administration to eliminate the National Gang Intelligence Center (NGIC) is rejected. Funds are included to continue the operation of NGIC, and to provide additional resources to existing Safe Streets Task Forces. Within the overall funds provided for Criminal Enterprises and Federal Crimes, the FBI is expected to launch a nationwide anti-gang initiative, allocating agents and other personnel to task forces experiencing the most severe violent gang crime, and where gangs have established links to violent international drug distribution cartels. The FBI shall report to the Committees on Appropriations on the planned initiative, and the corresponding allocations of funding and staff resources, no later than 90 days after the enactment of this Act. The report shall be put together in coordination with the Bureau of Alcohol, Tobacco, Firearms and Explosives, the United States Marshals Service and the Drug Enforcement Administration, and shall address how the FBI is working with these and other partner law enforcement agencies in these efforts.

Financial crime.—Within the total for Criminal Enterprises and Federal Crimes is included the requested amount for activities related to combating corporate fraud, securities and commodities fraud, mortgage fraud, and other financial crime.

Human trafficking.—Within the amount provided, the FBI is expected to increase activities related to the investigation of severe forms of trafficking in persons. The FBI shall submit a report to the Committees no later than 120 days after the enactment of this Act on agent utilization and overall staff resources dedicated to trafficking in fiscal years 2010 through 2013. The report shall also include details on the participation of FBI personnel in human trafficking task forces.

Implementation of 9/11 Commission recommendations.—This Act includes \$500,000 for a comprehensive external review of the implementation of the recommendations related to the FBI that were proposed in the report issued by the National Commission on Terrorist Attacks Upon the United States (commonly known as the "9/11 Commission"). The scope of this review shall include: (1) an assessment of progress made, and challenges in implementing the recommendations of the 9/11 Commission that are related to the FBI; (2) an analysis of the FBI's response to trends of domestic terror attacks since September 11, 2001, including the influence of domestic radicalization; (3) an assessment of any evidence now known to the FBI that was not considered by the 9/11 Commission related to any factors that contributed in any manner to the terrorist attacks of September 11, 2001; and (4) any additional recommendations with regard to FBI intelligence sharing and counterterrorism policy. The FBI shall submit a report to the Committees, no later than one year after enactment of this Act, on the findings and recommendations resulting from this review. The FBI is encouraged, in carrying out this review, to draw upon the experience of 9/11 Commissioners and staff.

CONSTRUCTION

This Act includes \$80,982,000 for FBI Construction.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

This Act includes a direct appropriation of \$2,050,904,000 for the salaries and expenses of the Drug Enforcement Administration (DEA). In addition, the DEA expects to derive \$352,600,000 from fees deposited in the Diversion Control Fund to carry out the Diversion Control Program.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

This Act includes \$1,153,345,000 for the salaries and expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

Gangs.—Within the amount provided, ATF is expected to prioritize funding for its Violent Crime Impact Teams (VCIT), which bring focused law enforcement attention to

communities plagued by gang violence. The ATF is directed to identify its allocation for VCIT in its spending plan for fiscal year 2013.

United States—Mexico firearms trafficking.—Support for ATF's efforts to combat weapon trafficking on the border is continued. As begun in fiscal year 2012, the ATF shall continue to provide the Committees on Appropriations with annual data on the total number of firearms recovered by the Government of Mexico, and of those, the number for which an ATF trace is attempted, the number successfully traced, the number determined to be manufactured in the United States, and the number determined to be imported into the United States prior to being recovered in Mexico.

Reprogramming requests.—It is noted that ATF has fallen into a trend of submitting annual reprogramming requests to the Committees on Appropriations seeking to transfer funds from its Arson and Explosives Decision Unit to its Firearms Decision Unit. ATF is directed to budget appropriately among its decision units in order to eliminate the need for these reprogramming requests.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

This Act includes \$6,820,217,000 for the salaries and expenses of the Federal Prison System.

Reentry research and reforms.—The Bureau of Prisons (BOP) is directed to undertake a comprehensive analysis of its policies and determine the reforms and best practices that will help reduce costs and recidivism. The Director is encouraged to share additional corrections data with outside experts in order to build upon prior efforts.

BOP contract confinement.—The safe, secure and humane incarceration of Federal inmates is considered to be a critical priority. Because contract prison beds will be a necessary tool for managing a rapidly expanding Federal inmate population for the foreseeable future, there is a commitment to ensuring that inmates at such facilities are housed appropriately. Therefore, the OIG is directed to conduct a review of prison facilities operating under a contract with BOP to ensure that such facilities meet all appropriate standards. This review should also include a

description of BOP's efforts to monitor the performance of contract prison facilities and recommendations for how BOP could improve such efforts.

Inmate literacy.—It is recommended that, given the priority of increasing successful prisoner reentry programs and the critical role community-based and volunteer literacy programs can play in the transition from prison back into society, BOP work with national organizations to identify and describe these models, and develop appropriate replication strategies.

BUILDINGS AND FACILITIES

This Act includes \$90,000,000 for the construction, acquisition, modernization, maintenance and repair of prison and detention facilities housing Federal inmates.

Construction funding requests.—Due to inmate population growth and overcrowding estimates, BOP is encouraged to include funding for new prison construction in future requests.

Status of construction.—Previous conference agreements have directed BOP to submit monthly status of construction reports that include notifications of any deviations from the construction and activation schedule identified in those reports, including detailed explanations of the causes of delays and actions proposed to address them. BOP's failure to submit these reports in a timely manner has hindered the Committees on Appropriations' ability to monitor and assess BOP's needs. BOP is directed to collaborate and coordinate with the Justice Management Division on methods that will efficiently deliver these critical reports to the Committees in a timely manner.

Modernization and repair project backlog.—This Act provides \$66,965,000 to address critical modernization and repair (M&R) projects in order to maintain and safely operate Federal prison institutions. BOP has a current backlog of at least 154 major M&R projects at an approximate cost of \$348,000,000, an estimation that does not include the universe of unfunded minor repair and improvement projects that are managed and prioritized at the regional level. BOP is directed to include a project specific M&R spending plan, along with a comprehensive report of the current M&R backlog, in the Department's spending plan required by this Act.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

This Act includes a limitation on administrative expenses of \$2,700,000 for Federal Prison Industries, Incorporated.

STATE AND LOCAL LAW ENFORCEMENT ACTIVITIES

In total, this Act includes \$2,264,218,000 for State and local law enforcement and crime prevention programs.

Spending plan.—The Department shall submit a spending plan and related materials for the all of the programs funded under this heading to the Committees on Appropriations not later than 45 days after the enactment of this Act, along with the overall spending plan required by this Act.

Management and administration expenses.—Language included in both the House report and the Senate report is incorporated directing the Department, in preparation of its fiscal year 2013 spending plan, to assess management and administration (M&A) expenses against program funding. The Department is directed to ensure that its assessment methodology is equitable and, for programs funded through the Crime Victims Fund, that the assessment reflects a fair representation of the share of each program devoted to common M&A costs. Grant offices are also directed to minimize administrative spending in order to maximize the amount of funding that can be used for grants or training and technical assistance. In addition, the Department is directed to detail, as part of its budget submission for fiscal year 2014 and future years, the actual costs for each grant office with respect to training, technical assistance, research and statistics, and peer review for the prior fiscal year, along with estimates of planned expenditures by each grant office in each of these categories for the current year and the budget year.

GAO findings on subgrantee efficiencies.—The Office on Violence Against Women (OVW), the Office of Justice Programs (OJP), and the Office of Community Oriented Policing Services (COPS) are directed to publicly disclose on each office's website the names of any subgrantees associated with each grant award, and to detail the purpose of each award in order to mitigate duplication and to ensure transparency. DOJ is also directed to heed the findings of GAO's 2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue and to respond proactively in a timely manner.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

This Act includes \$416,500,000 for OVW. These funds are distributed as follows:

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

[In thousands of dollars]

Program	Amount
STOP Grants Transitional Housing Assistance Research and Evaluation on Violence Against Women Consolidated Youth-oriented Program Grants to Encourage Arrest Policies Homicide Reduction Initiative Sexual Assault Victims Services Rural Domestic Violence and Child Abuse Enforcement Violence on College Campuses Civil Legal Assistance Elder Abuse Grant Program Family Civil Justice Education and Training for Disabled Female Victims National Resource Center on Workplace Responses Research on Violence Against Indian Women Indian Country—Sexual Assault Clearinghouse	189,000 25,000 3,500 10,000 50,000 (4,000) 25,000 9,000 41,000 4,250 15,500 5,750 1,000 500
TOTAL, Violence Against Women Prevention and Pros- ecution Programs	416,500

Research on violence against women.—"Honor violence" is a form of violence against women committed with the motive of protecting or regaining the honor of the perpetrator, family or community. There is currently a lack of statistical information on the occurrence of honor violence in the United States. Within the funds provided, OVW and the National Institute of Justice (NIJ) are expected to study this matter and recommend ways to determine the prevalence of honor violence and recommend best practices for law enforcement and service providers for prevention and response.

OFFICE OF JUSTICE PROGRAMS

The Department shall work closely with Congress to consider seriously the modification of existing programs and omission of outdated programs before new proposals and initiatives are unveiled. The Department is urged to devise a proposal to consolidate and eliminate ineffective grant programs by outreach to Congress and emphasis on what works and what is cost effective for the taxpayers' dollars.

RESEARCH, EVALUATION AND STATISTICS

This Act includes \$127,000,000 for the Research, Evaluation and Statistics account. These funds are distributed as follows:

RESEARCH, EVALUATION AND STATISTICS

[In thousands of dollars]

Program	Amount
Bureau of Justice Statistics National Crime Victimization Survey (NCVS) National Institute of Justice Transfer to NIST/OLES for DNA/Forensics Evaluation Clearinghouse (What Works Repository) Regional information sharing activities	48,000 (36,000) 43,000 (5,000) 1,000 35,000
TOTAL, Research, Evaluation and Statistics	127,000

Spending plans.—The Department shall submit as part of its spending plan for State and Local Law Enforcement Activities a plan for the use of all funding administered by NIJ and the Bureau of Justice Statistics (BJS), respectively.

DNA and forensics research and evaluation.—The fiscal year 2013 budget request eliminates resources to assist with critical forensics and DNA research and evaluation. Those areas are vital components to maintaining and advancing quality and proficiency within Federal, State, and local crime laboratory facilities. Therefore, from within the amounts provided for NIJ, OJP shall directly transfer \$5,000,000 to the National Institute of Standards and Technology (NIST) Office of Law Enforcement Standards (OLES) to support the continuation of the development of standards and standard reference materials.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

This Act includes \$1,140,418,000 for State and Local Law Enforcement Assistance programs. These funds are distributed as follows:

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[In thousands of dollars]

Program	Amount
Byrne Memorial Justice Assistance Grants	392,418
State and Local Anti-terrorism Training	(2,000)
State and Local Assistance Help Desk and Diagnostic	
Center	(4,000)
VALOR Initiative	(5,000)
Criminal Justice Reform and Recidivism Reduction	(6,000)
Domestic Radicalization Research	(4,000)
State Criminal Alien Assistance Program	255,000
Border Prosecutor Initiative	5,000
Byrne Competitive Grants	19,000
Victims of Trafficking Grants	13,500
Drug Courts	41,000
Mentally III Offender Act	9,000
Residential Substance Abuse Treatment	12,500
Capital Litigation and Wrongful Conviction Review	3,000
Economic, High-tech and Cybercrime Prevention	9,000

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE— Continued

[In thousands of dollars]

Program	Amount
John R. Justice Grant Program Adam Walsh Act Implementation Children Exposed to Violence Initiative Byrne Criminal Justice Innovation Program Bulletproof Vests Transfer to NISTOLES National Sex Offender Public Website Violent Gang and Gun Crime Reduction National Instant Criminal Background Check System Criminal Records Upgrade Paul Coverdell Forensic Science	4,000 20,000 13,000 18,000 21,500 (1,500) 1,000 5,000 12,000 12,000
DNA Initiative Debbie Smith DNA Backlog Grants Post-Conviction DNA Testing Grants	125,000 (117,000)

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE— Continued [In thousands of dollars]

Program	Amount
Sexual Assault Forensic Exam Program Grants CASA—Special Advocates Tribal Assistance Second Chance Act/Offender Reentry Smart Probation Veterans Treatment Courts Missing Alzheimer's Patients Grants Prescription Drug Monitoring Prison Rape Prevention and Prosecution Emergency Law Enforcement Assistance Campus Public Safety	(4,000) 6,000 38,000 68,750 (5,000) 4,000 1,000 7,000 12,500 3,500 2,750
TOTAL State and Local Law Enforcement Assistance	1 140 418

Veterans treatment courts.—This Act includes \$4,000,000 to establish a funding source specifically to support veterans treatment courts. The Department is expected to work in conjunction with the Department of Veterans Affairs, as appropriate, to provide grant support for collaborative, rehabilitative approaches for continuing judicial supervision of offenders who are veterans.

Economic, high-technology, and cyber crimes prevention.—This Act provides \$9,000,000 to assist State and local law enforcement agencies in the prevention, investigation, and prosecution of economic, high-tech, and Internet crimes. Given the importance of protecting our Nation's new technologies, ideas, and products, OJP is directed to increase its investment in competitive grants that help State and local law enforcement tackle intellectual property (IP) thefts, such as counterfeiting and piracy, to \$3,700,000.

Prescription drug monitoring.—This Act includes \$7,000,000 for the Prescription Drug Monitoring Program (PDMP). The Bureau of Justice Assistance is urged to prioritize grant funding for states which have demonstrated a commitment to interstate data sharing and which are moving towards compliance with the recently adopted Prescription Monitoring Information Exchange (PMIX) Architecture so that the goal of 50 interconnected States can be achieved through hub-to-hub communication.

Reentry.—It is expected that Second Chance Act funding will support grants that foster the implementation of strategies that have been proven to reduce recidivism and ensure safe and successful reentry back to their communities of adults released from prisons and jails, as well as grants for demonstration projects designed to test the impact of new strategies and frameworks. The Department is directed to submit as part of its spending plan for State and Local Law Enforcement Assistance a plan for the use of all funds appropriated for Second Chance Act programs. It is expected that such plan will designate funds for proven, evidence-based programs that will further the goal of maximizing public safety, as well as for promising new approaches and projects.

Human trafficking.—This Act includes \$13,500,000 for task force activities and services for U.S. citizens, permanent residents, and foreign nationals who are victims of trafficking. It is expected that the human trafficking task forces funded by the Department will continue to bring

together Federal, State and local law enforcement and work closely with victim services organizations to investigate all forms of human trafficking and assist the victims. OJP shall consult with stakeholder groups in determining the overall allocation of victims of trafficking funding, including with respect to amounts allocated to assist foreign national victims, and provide to the Committees on Appropriations a plan for the use of these funds as part of the Department's fiscal year 2013 spending plan.

Adam Walsh Act implementation.—This Act includes \$20,000,000 to help States, the District of Columbia, Indian tribes, and territories come into compliance with the Sex Offender Registration and Notification Act (SORNA), as well as provide for the management of child sexual predators and exploiters.

Campus public safety.—This Act includes funding for a National Center for Campus Public Safety. Also, OJP may award grants to institutions of higher education and other nonprofit organizations to assist in carrying out the functions of the Center. Such functions shall include: (1) providing quality education and training for campus public safety agencies of institutions of higher education and the agencies' collaborative partners, including campus mental health agencies; (2) fostering quality research to strengthen the safety and security of institutions of higher education; (3) serving as a clearinghouse for the identification and dissemination of information, policies, procedures, and best practices relevant to campus public safety, including off-campus housing safety, the prevention of violence against persons and property, and emergency response and evacuation procedures; (4) developing protocols, in conjunction with the Attorney General and other stakeholders, to prevent, protect against, respond to, and recover from, natural and man-made emergencies or dangerous situations involving an immediate threat to the health or safety of the campus community; (5) promoting the development and dissemination of effective behavioral threat assessment and management models to prevent campus violence; (6) coordinating campus safety information (including ways to increase offcampus housing safety) and resources available from the Department and other sources; (7) increasing cooperation, collaboration, and consistency in prevention, response, and problemsolving methods among law enforcement, mental health, and other agencies and jurisdictions serving institutions of higher education; (8) developing standardized formats and models for mutual aid agreements and memoranda of understanding between campus security agencies and other public safety organizations and mental health agencies; and (9) reporting annually to

Congress and the Attorney General on activities performed by the Center during the previous 12 months.

JUVENILE JUSTICE PROGRAMS

This Act includes \$279,500,000 for Juvenile Justice programs. These funds are distributed as follows:

JUVENILE JUSTICE PROGRAMS

[In thousands of dollars]

Program	Amount
Part B—State Formula Grants Emergency Planning—Juvenile Detention Facilities Youth Mentoring Grants Title V—Delinquency Prevention Incentive Grants Tribal Youth Gang and Youth Violence Education and Prevention Alcohol Prevention Victims of Child Abuse Programs Juvenile Accountability Block Grants Community-Based Violence Prevention Initiatives Missing and exploited children programs Training for Judicial Personnel National Forum on Youth Violence Prevention	44,000 (500) 90,000 20,000 (10,000) (5,000) (5,000) 11,000 67,000 1,500 2,000
TOTAL, Juvenile Justice	279,500

Missing and exploited children.—This Act provides \$67,000,000 for missing and exploited children programs, of which not less than \$29,000,000 shall be provided for task force grants, training and technical assistance, research and statistics, and administrative costs for the Internet Crimes Against Children (ICAC) program.

Youth mentoring.—This Act provides \$90,000,000 for youth mentoring grants to help support the work of organizations across the country in implementing programs that identify and address the factors that can lead to delinquency or other problem behaviors in at-risk or disadvantaged youth. Mentoring for children in certain at-risk and disadvantaged subgroups, including children who are in foster care, are disabled, or are the children of incarcerated parents, is particularly important.

PUBLIC SAFETY OFFICER BENEFITS

This Act includes \$78,300,000 for the Public Safety Officer Benefits program for fiscal year 2013. Within the funds provided, \$62,000,000 is for death benefits for survivors, an amount estimated by the Congressional Budget Office that is considered mandatory for scorekeeping purposes. In addition, \$16,300,000 is provided for disability benefits for public safety officers permanently and totally disabled as a result of a catastrophic injury and for education benefits for the spouses and children of officers killed in the line of duty or permanently and totally disabled as a result of a catastrophic injury sustained in the line of duty.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

This Act includes \$222,500,000 for COPS programs, as follows:

COMMUNITY ORIENTED POLICING SERVICES

[In thousands of dollars]

Program	Amount
Transfer to DEA for Methamphetamine Lab Cleanups Tribal Resources Grant Program COPS Hiring Grants Transfer to Tribal Resources Grant Program Community Policing Development/Training and Technical Assistance	12,500 20,000 190,000 (15,000)
TOTAL, Community Oriented Policing Services	222,500

COPS Hiring.—In the course of awarding grants for the COPS Hiring program in fiscal year 2012, the Department reserved 10 percent of COPS Hiring funding for grants based on the Department's "high priorities." These set-aside grants were awarded among a subgroup of applicants whose community policing plans focused on high priority crime problems identified by the Department only after all of the applications had been reviewed. Applicant agencies isolated into the 10 percent set-aside group had a significantly higher chance of receiving a grant than the remainder of the eligible applicants. According to the Department's own statistics, applicants in the 90 percent pool had between an eight and 14 percent chance of receiving an award, while applicants selected for the 10 percent pool had a greater than 70 percent chance of receiving an award. This unnecessarily subjective grant award process is not supported. In fiscal year 2013 and thereafter, the Department will resume awarding grants to eligible agencies with the highest total ranked scores, taking into account its statutory mandates, and not attempt to run a parallel grant program, the design of which creates the appearance of favoritism.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

This Act includes the following general provisions for the Department of Justice:

Section 201 makes available additional reception and representation funding for the Attorney General from the amounts provided in this title.

Section 202 prohibits the use of funds to pay for an abortion, except in the case of rape or to preserve the life of the mother.

Section 203 prohibits the use of funds to require any person to perform or facilitate the performance of an abortion.

Section 204 establishes the obligation of the Director of the Bureau of Prisons to provide escort services to an inmate receiving an abortion outside of a Federal facility, except where this obligation conflicts with the preceding section.

Section 205 establishes requirements and procedures for transfer proposals.

Section 206 authorizes the Attorney General to extend an ongoing Personnel Management Demonstration Project.

Section 207 permanently extends specified authorities to the ATF for undercover operations.

Section 208 prohibits the use of funds for transporting prisoners classified as maximum or high security, other than to a facility certified by the BOP as appropriately secure.

Section 209 prohibits the use of funds for the purchase or rental by Federal prisons of audiovisual or electronic media or equipment, services and materials used primarily for recreational purposes, except for those items and services needed for inmate training, religious or educational purposes.

Section 210 requires review by the Deputy Attorney General and the Department Investment Review Board prior to the obligation or expenditure of funds for major information technology projects.

Section 211 requires the Department to follow reprogramming procedures prior to any deviation from the program amounts specified in this title or the reuse of specified deobligated funds provided in previous years.

Section 212 prohibits the use of funds for A-76 competitions for work performed by employees of the BOP or FPI, Inc.

Section 213 prohibits U.S. Attorneys from holding additional responsibilities that exempt U.S. Attorneys from statutory residency requirements.

Section 214 permits up to 3 percent of grant and reimbursement program funds made available to OJP to be used for training and technical assistance; permits up to 2 percent of grant funds made available to that office to be used for criminal justice research, evaluation and statistics by NIJ and BJS; and directs that of such amounts transferred to NIJ and BJS, \$1,300,000 shall be transferred to the BOP. In light of the resurgence of methamphetamine production and trafficking, language included in the House report is reaffirmed encouraging OJP and COPS to support methamphetamine training and technical assistance initiatives that advance problem-solving strategies to combat methamphetamine, and which demonstrate the capacity to have a national impact through direct training and the distribution of information and resources.

Section 215 gives the Attorney General the authority to waive matching requirements for Second Chance Act adult and juvenile reentry demonstration projects; State, tribal and local reentry courts; drug treatment programs; and prison rape elimination programs.

Section 216 waives the requirement that the Attorney General reserve certain funds from amounts provided for offender incarceration.

Section 217 prohibits funds, other than funds for the national instant criminal background check system established under the Brady Handgun Violence Prevention Act, from being used to facilitate the transfer of an operable firearm to a known or suspected agent of a drug cartel where law enforcement personnel do not continuously monitor or control such firearm.

Section 218 places limitations on the obligation of funds from certain Department of Justice accounts and funding sources.

This Act does not include section 218 of H.R. 5326 of the 112th Congress. It is important to eliminate barriers to the use of pools in compliance with the Americans with Disabilities Act (ADA) while also appropriately minimizing the regulatory burden on pool owners and operators. The Department is directed to continue its current policy of not enforcing the fixed elements requirement of the 2010 ADA Standards for Accessible Design against owners or operators who purchased portable lifts for existing pools prior to March 15, 2012, as long as the portable lift is kept in position for use at the pool, is operational at all times that the pool is open, and otherwise complies with the requirements of the 2010 Standards. The Department also is expected to consider ways to further minimize the burden on pool owners and operators, including in the way it makes determinations about readily achievable compliance actions, while still adhering to the requirements of the ADA.

TITLE III SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

This Act includes \$5,850,000 for the Office of Science and Technology Policy (OSTP).

Science, Technology, Engineering and Math (STEM) education.—Interest remains in OSTP's efforts to provide better oversight of and guidance to the Federal government's STEM education apparatus through a government-wide STEM education strategic plan. This forthcoming plan is expected to address longstanding areas of congressional interest, including reducing programmatic duplication, measuring programmatic effectiveness, improving the dissemination of STEM education findings, integrating STEM education activities at mission-oriented agencies and supporting the STEM-related workforce. OSTP shall provide the completed STEM education strategic plan to the Committees on Appropriations within 45 days of the enactment of this Act.

Interagency Working Group on Neuroscience (IWGN).—Language in the House report regarding the IWGN, which was chartered during fiscal year 2012 under the auspices of the National Science and Technology Council, is affirmed, and its goals and activities are strongly supported. In addition, OSTP is encouraged to work with all relevant stakeholders to consider how incentives could hasten the development of new prevention and treatment options for neurological diseases and disorders, and to recommend options for such incentives.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

This Act includes \$17,862,000,000 for the National Aeronautics and Space Administration (NASA). A table of specific funding allocations for NASA is delineated below, and additional detail may be found under the relevant account headings.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[In thousands of dollars]

[III tilousalius oi dollais]				
Amount				
1,785,000 1,415,000 669,000 628,000 647,000				
5,144,000				
570,000				
642,000				
3,054,000 (1,197,000) (1,857,000) (1,454,200) (402,800) 525,000 308,000				
3,887,000				
70,000 2,958,000 925,000				
3,953,000				
58,000 (40,000) (18,000) 67,000				
125,000				
2,823,000				
680,000				
38,000				
17,862,000				

SCIENCE

This Act includes \$5,144,000,000 for Science.

Earth Science.—\$1,785,000,000 is for Earth Science, and language from the Senate report on carbon monitoring is adopted by reference.

Planetary Science.—\$1,415,000,000 is for Planetary Science, including \$192,000,000 for Planetary Science Research, \$243,980,000 for Discovery, \$175,000,000 for New Frontiers, \$450,800,000 for Mars Exploration and \$159,000,000 for Outer Planets.

Within the amount provided for Mars Exploration, \$146,400,000 is for the continued development of the MAVEN mission, \$65,000,000 is for operation of the Mars Science Laboratory and \$239,400,000 is for other Mars activities, including the formulation of a future Mars mission that is responsive to the scientific goals of the most recent planetary science decadal survey and the potential completion of instrumentation or other contributions to international Mars exploration efforts. Direction provided in H.R. 5326 of the 112th Congress and the House report on submitting future Mars mission concepts to the National Research Council for review does not apply to the Mars funding provided herein.

Within the amount provided for Outer Planets, \$75,000,000 shall be for pre-formulation and/or formulation activities in support of a mission that achieves the scientific goals laid out in the Jupiter Europa section of the most recent planetary science decadal survey. These activities include, but are not limited to, concept studies and concept development, technology development and requirements definition.

James Webb Space Telescope (JWST).—\$628,000,000 is for JWST and all JWST language from the House report and the Senate report is adopted by reference. There is commitment to this important program and to providing strong, continuing oversight to ensure that it remains on track.

Astrophysics.—\$669,000,000 is for Astrophysics, including \$10,000,000 for preformulation and/or formulation activities for a mission that meets the science goals of the Wide Field InfraRed Survey Telescope as described in the most recent astronomy and astrophysics decadal survey. Language from the Senate report regarding the Hubble Space Telescope and the

Explorer Program is adopted by reference, and language from the House report regarding NASA's planned contributions to the European Space Agency's Euclid program is not adopted.

Heliophysics.—\$647,000,000 is for Heliophysics and language from the Senate report regarding the Explorer Program, Magnetospheric MultiScale mission and Solar Probe Plus is adopted by reference.

AERONAUTICS

This Act includes \$570,000,000 for Aeronautics. Language from the House report on entry, descent and landing technology development and hypersonic research is adopted by reference.

SPACE TECHNOLOGY

This Act includes \$642,000,000 for Space Technology. All funds under this heading should be prioritized toward the continuation of ongoing programs and activities that were funded in fiscal year 2012.

Satellite servicing.—Language from the Senate report on satellite servicing is adopted by reference.

EXPLORATION

This Act includes \$3,887,000,000 for Exploration.

Space Launch System (SLS) funding.—A total of \$2,119,400,000 is for SLS; \$1,857,000,000 of this funding is provided under the "Exploration" heading, including \$1,454,200,000 for SLS vehicle development and \$402,800,000 for Exploration Ground Systems (EGS). This funding level is sufficient for NASA to meet all upcoming SLS and EGS program milestones.

In accordance with an agreement previously reached between NASA and the Committees, the display of SLS funds and their distribution among budget accounts has changed from fiscal year 2012. For purposes of enabling multi-year comparisons, the table below shows the fiscal year 2012 and 2013 SLS vehicle development and EGS budgets in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

CROSSWALK OF SPACE LAUNCH SYSTEM APPROPRIATIONS

[In thousands of dollars]

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
SLS Vehicle Development Exploration Construction and Environmental Compliance and Restoration Exploration Ground Systems Exploration Space Operations Construction and Environmental Compliance and Restoration	1,543,500 (1,543,500) 399,700 (316,500) (83,200)	1,665,500 (1,665,500) 453,900 (357,200) (96,700)	1,543,500 (1,503,000) (40,500) 399,700 (387,700) (12,000)	1,665,500 (1,454,200) (211,300) 453,900 (402,800) (51,100)
Total, Space Launch System	1,943,200	2,119,400	1,943,200	2,119,400

SLS vehicle development.— Support for NASA's evolvable SLS development approach, which will provide a 70 ton SLS configuration by 2017 and build to a 130 ton configuration as work is completed on an upper stage and advanced booster system, is reiterated. However, NASA is urged to identify and implement ways to accelerate the schedule for the attainment of the 130 ton configuration. To enable better congressional oversight of NASA's progress, language from the House report regarding requirements for quarterly SLS funding reports is adopted by reference.

EGS.—It is noted that EGS funds are intended for SLS-related ground operations. Additional funding for non-SLS ground operations activities is provided under the "Space Operations" heading.

Orion Multi-Purpose Crew Vehicle (MPCV) funding.—A total of \$1,200,310,000 is for the Orion MPCV, which is to be launched on the SLS in furtherance of NASA's beyond Earth orbit exploration goals and to provide an alternate means of emergency access to the International Space Station (ISS). Within the amounts provided for the Orion MPCV, \$1,197,000,000 is provided under the "Exploration" heading. This funding level is sufficient for NASA to meet all upcoming Orion MPCV milestones, including a planned flight test in 2014.

Similar to the SLS, the distribution of Orion MPCV funds across budget accounts has changed from fiscal year 2012. The chart below displays all Orion MPCV funding in both the fiscal year 2012 appropriations structure and the fiscal year 2013 appropriations structure.

CROSSWALK OF ORION MULTI-PURPOSE CREW VEHICLE APPROPRIATIONS

[In thousands of dollars]

Activity, Budget Account	In Fiscal Year 2012 Account Structure		In Fiscal Year 2013 Account Structure	
	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2012	Fiscal Year 2013
Orion Multi-Purpose Crew Vehicle Exploration Construction and Environmental Compliance and Restoration	1,200,000 (1,200,000)	1,200,310 (1,200,310)	1,200,000 (1,200,000)	1,200,310 (1,197,000) (3,310)
Total, Orion Multi-Purpose Crew Vehicle	1,200,000	1,200,310	1,200,000	1,200,310

Cost caps.—The human exploration program should be managed under cost caps based on NASA's analysis and the completed Independent Cost Assessment (ICA). Within 60 days of the enactment of this Act, NASA shall report to the Committees on Appropriations on planned milestones; expected performance and configurations; planned ground and flight testing programs; and deliverables for SLS, EGS and the Orion MPCV. As part of this report, NASA shall validate the funding levels established by the ICA for SLS, EGS and the Orion MPCV as potential cost caps through fiscal year 2017 or recommend and justify alternate cost caps for each program element.

Exploration destinations and goals.—Language from the House report regarding mission goals for the test flights of SLS and the Orion MPCV currently scheduled for 2017 and 2021 is adopted by reference.

Commercial crew.—\$525,000,000 is for the Commercial Crew Program (CCP). This funding, which will support the continuation of the Commercial Crew Integrated Capability (CCiCap) phase and the awarding of Certification Products Contracts, is intended to promote the safest, fastest and most cost-effective reestablishment of a domestic means of access to the ISS.

It is expected that CCP activity beyond the CCiCap base period will be funded via Federal Acquisition Regulation—based contracts and that NASA will take all necessary steps to ensure that these contracts can be smoothly awarded with minimal disruption to programmatic progress. NASA is also expected to maintain rigorous oversight of the program and its private sector partners to ensure that all necessary safety standards are being met and all appropriate safeguards for taxpayer interests are being implemented.

SPACE OPERATIONS

This Act includes \$3,953,000,000 for Space Operations.

ISS.—\$2,958,000,000 is for ISS operations, research and cargo supply and adopts, by reference, language from the Senate report regarding satellite servicing activities.

Language in the House report requiring NASA to provide a report on options for short-term emergency access to the ISS is adopted by reference. This report shall be provided no later than 120 days after the enactment of this Act.

Launch services.—Concern remains about potential shortages in both the small- and medium-class launch vehicle markets. Such shortages would threaten both the schedules and budgets for NASA science missions. NASA is directed to continue monitoring its options in both markets and to ensure that management plans for projects in these classes appropriately reflect the risks resulting from uncertainty in launch vehicle availability and pricing.

Space and Flight Support.—\$925,000,000 is for Space and Flight Support, including the full requested level for Tracking and Data Relay Satellite System replacement and the 21st Century Space Launch Complex (21CSLC) program. The 21CSLC funds are available for the modification and modernization of launch infrastructure not exclusively used for SLS, including NASA-owned facilities for launch vehicles serving NASA missions and facilities scheduled to launch cargo to the ISS.

Language from the House report regarding strategic planning for upgrades and modernization of the Wallops Flight Facility is adopted by reference.

EDUCATION

This Act includes \$125,000,000 for Education.

Aerospace Research and Career Development.—\$40,000,000 is for the National Space Grant College program, and \$18,000,000 is for the Experimental Program to Stimulate Competitive Research (EPSCoR). Language from the Senate report regarding the distribution of Space Grant funding to states and jurisdictions is not adopted.

Informal education.—\$10,000,000 is for a competitive grant program to fund informal education programs that develop STEM education activities, including exhibits, at qualifying institutions as described in section 616 of the NASA Authorization Act of 2005 (Public Law 109–155), and/or at NASA Visitors Centers.

K–12 STEM education and youth service organizations.—It is noted that NASA's Office of Education, mission directorates and centers are involved in multiple efforts to engage K–12 students in STEM-related activities and competitions, in order to help encourage students to pursue future STEM-related studies and careers. Much of NASA's work in this area has been accomplished through partnerships with youth service organizations, including those with a nationwide footprint. These efforts both augment and leverage the resources and reach of these

organizations, helping to bring practical STEM applications to a wider group of young participants. NASA is commended for these efforts, which are an effective way to help build a strong and vibrant future STEM workforce, which in turn helps ensure a strong, globally competitive U.S. economy. NASA is directed, within funds provided both in this account and throughout the NASA budget, to expand the agency's K–12 STEM education efforts with youth service organizations and to report to the Committees on Appropriations within 180 days of enactment on these efforts.

CROSS AGENCY SUPPORT

This Act includes \$2,823,000,000 for Cross Agency Support.

Cybersecurity.—Language from the Senate report regarding cybersecurity is adopted by reference.

Comprehensive independent assessment.—Language from the House report regarding NASA's response to a comprehensive independent assessment of the agency conducted by the National Research Council is adopted by reference.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

This Act includes \$680,000,000 for Construction and Environmental Compliance and Restoration. Within the amounts provided, \$60,000,000 is for Environmental Compliance and Restoration, \$329,200,000 is for Institutional Construction of Facilities (CoF) and \$265,710,000 is for Exploration CoF, including \$3,310,000 for the Orion MPCV and \$142,000,000 for SLS-related test facilities.

OFFICE OF INSPECTOR GENERAL

This Act includes \$38,000,000 for the Office of Inspector General.

ADMINISTRATIVE PROVISIONS

This Act includes the following administrative provisions for NASA:

- a provision that makes funds for announced prizes available without fiscal year limitation until the prize is claimed or the offer is withdrawn;
- a provision that establishes terms and conditions for the transfer of funds;

- a provision that subjects the NASA spending plan and specified changes to that spending plan to reprogramming procedures under section 505 of this Act; and
- a provision that allows NASA to retain within its Working Capital Fund refunds or rebates received through NASA's credit card programs.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

This Act includes \$5,983,280,000 for Research and Related Activities (R&RA).

Program priorities.—NSF's proposed R&RA termination and reduction proposals are incorporated as described in the House report.

Advanced manufacturing.—Language in the House report regarding advanced manufacturing is adopted by reference.

Cybersecurity research.—Language from the Senate report regarding cybersecurity research is adopted by reference.

Innovation Corps (I-Corps).—Language from the House report regarding the I-Corps program is adopted by reference. If NSF determines that the directive contained in that language cannot be practically enforced for any specific I-Corps grant, NSF is directed to immediately report that determination, along with an explanation, to the Committees on Appropriations. NSF is expected to make all necessary efforts to ensure that exceptions to the directive are avoided to the maximum extent possible.

Cross-Foundation initiatives.—Limits on the implementation of OneNSF initiatives as proposed in the Senate report are not included because there is value in the further development of interdisciplinary research activities. However, future growth in interdisciplinary research should not come at the expense of adequate support for infrastructure and core research programs in each of NSF's individual scientific disciplines. NSF is urged to assess and refine the balance among these activities in its budget request for fiscal year 2014 and future years.

Astronomy.—\$247,550,000 is for astronomical sciences, including \$164,890,000 for infrastructure. Within the infrastructure portfolio, NSF shall fund pre-construction planning and research resources at the budget request level and allocate the remaining funds to observatories.

To the extent that increases in infrastructure spending require a reduction in the research budget, those reductions should come from the planned increases for the Enhancing Access to the Radio Spectrum program.

No limitations are placed on the implementation of the Telescope System Instrumentation Plan, and no action or statement herein regarding the Division of Astronomical Sciences (AST) should be construed as an expression of opinion regarding AST's recently concluded portfolio review, which has yet to be submitted to the Congress for consideration.

EPSCoR.—\$158,190,000 is for EPSCoR.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

This Act includes \$196,170,000 for Major Research Equipment and Facilities Construction.

EDUCATION AND HUMAN RESOURCES

This Act includes \$895,610,000 for Education and Human Resources (EHR).

Program terminations and reductions.—NSF's proposed EHR termination and reduction proposals as described in the House report are incorporated, with the exception of NSF's proposal to reduce the Advancing Informal STEM Learning (AISL) program. AISL shall be funded as described in the Senate report.

Broadening participation programs.—Funding for the Historically Black Colleges and Universities Undergraduate Program, the Louis Stokes Alliance for Minority Participation, the Tribal Colleges and Universities Program and Centers for Research Excellence in Science and Technology is incorporated, as described in the Senate report.

Advanced Technological Education (ATE).—An increase of \$5,000,000 above the request for ATE is included, as described in the House report. NSF shall choose an offset to accommodate this increase from among the EHR programs not otherwise described in this statement.

Best practices in K–12 STEM education.—Adopted, by reference, is language from the House report on the implementation of the recommendations contained in the National Research

Council's 2011 report entitled Successful K–12 STEM Education: Identifying Effective Approaches in Science, Technology, Engineering, and Mathematics.

Federal Cyber Service: Scholarships for Service.—Adopted, by reference, is language from the Senate report regarding the Federal Cyber Service: Scholarships for Service program.

AGENCY OPERATIONS AND AWARD MANAGEMENT

This Act includes \$299,400,000 for Agency Operations and Award Management.

Follow-up on OIG findings.—NSF management responses to recommendations of the OIG, particularly those regarding workforce management and construction contingency funding, have been inadequate. NSF is directed to provide the report described in the Senate report within 30 days of the enactment of this Act and to provide updates to that report on a semiannual basis.

NSF headquarters.—The requested amount for expenses associated with the expiration of NSF's headquarters lease is provided.

OFFICE OF THE NATIONAL SCIENCE BOARD

This Act includes \$4,440,000 for the National Science Board.

OFFICE OF INSPECTOR GENERAL

This Act includes \$14,200,000 for the OIG.

ADMINISTRATIVE PROVISION

This Act includes a provision that establishes terms and conditions for the transfer of funds.

TITLE IV RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

This Act includes \$9,400,000 for the Commission on Civil Rights.

Improving oversight.—Language is continued that was first included in fiscal year 2012 establishing an inspector general (IG) function for the Commission on Civil Rights and providing that the function will be carried out by the individual holding the position of IG at the Government Accountability Office (GAO). The IG is tasked with the duties and responsibilities specified in the Inspector General Act of 1978, including conducting audits and reviews of Commission programs, finances and personnel.

Funding is provided for these operations in the amount of \$450,000 by direct transfer to the Office of Inspector General of the GAO. This amount is \$200,000 above the request and the enacted level. The GAO IG was unable to fulfill the statutory requirements for its role as IG for the Commission within the amounts provided in fiscal year 2012. Accordingly, the resources available to the IG have been increased. Also included is language providing the IG flexibility in submitting statutorily required reports so the IG can focus its efforts on more substantive oversight issues. With these additional resources and flexibility, the IG is expected to conduct vigorous oversight of the Commission. The IG also is expected to consult with the Committees on Appropriations before exercising this new authority.

Vacancies.—The findings of the IG's recent report on management and performance challenges are concerning. In particular, the Commission has not had a permanent staff director since January 2011 and has not had an acting staff director since April 2012. In addition, the Commission has dozens of other vacant positions, many of which have been unfilled for years. Many other staff have multiple titles and responsibilities. The Commission is directed to examine its staffing structure, realign positions, as appropriate, based on available resources, and report the results to the Committees on Appropriations within 90 days of enactment of this Act. This

report is expected to include details on staffing at the Commission's regional offices, as well as an assessment of the role of these offices in carrying out the work of the Commission.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

This Act includes \$370,000,000 for the Equal Employment Opportunity Commission (EEOC). Up to \$29,500,000 shall be available for payments to State and local enforcement agencies to ensure that the EEOC provides adequate resources to its State and local partners.

Strategic plan.—EEOC is expected to use its resources to implement the strategic objectives identified in the EEOC's 2012–2016 strategic plan; specifically: combating employment discrimination through strategic law enforcement, preventing employment discrimination through education and outreach, and delivering excellent and consistent service.

EEOC is directed to report to the Committees on Appropriations within 60 days of the enactment of this Act on the steps it has taken to reach the fiscal year 2012 goals set forth in the strategic plan, whether those goals were achieved, and, if not, an explanation of why those goals were not achieved. Many of the strategies and measures outlined in the strategic plan are multi-year efforts, and EEOC is expected to provide an analysis of the impact the strategies will have in subsequent years. As noted in the Senate report, there is particular interest in seeing the results of discussions surrounding intake and charge management in the private sector process and the development of a new case management system in the Federal sector process.

In creating the strategic plan, the EEOC sought the input of all members of the EEOC workforce, in addition to the agency's leadership, and solicited and received comments from a wide range of stakeholders and the public. Therefore, it is expected that these invested stakeholders will be active and constructive partners in the plan's implementation by EEOC.

Age discrimination.—Section 540 of H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. There is concern that EEOC did not conduct a thorough analysis of this rule's impact on small business. Therefore, notwithstanding the EEOC's determination under section 605(b) of title 5, United States Code, no later than 90 days after enactment of this Act, EEOC shall conduct an analysis equivalent to that required under section 604 of such title and provide the analysis to the Committees on Appropriations as well as

to the public. The EEOC shall consult with the Committees on Appropriations prior to undertaking this analysis. This requirement shall not interfere with implementation of the rule.

Guidance on criminal background checks.—Section 544 of H.R. 5326 of the 112th Congress is not included. The EEOC recently finalized new guidance regarding the use of criminal record checks, without regard for a directive proposed by the Senate that such guidance should be circulated for public comment at least six months before adoption. The EEOC is directed to report to the Committees on Appropriations within 120 days of enactment of this Act detailing the steps it has taken to alleviate confusion about the new guidance.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

This Act includes \$83,000,000 for the International Trade Commission.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

This Act includes \$365,000,000 for the Legal Services Corporation (LSC).

Pro bono task force.—It is encouraging that the LSC launched a pro bono task force, which released its report this fall. The LSC is urged to implement the recommendations as it continues to work with grantees to adopt measures aimed at increasing the involvement of private attorneys in the delivery of legal services to their clients.

Pro bono innovation program.—The pro bono task force's recommendation for the creation of a pro bono innovation program is encouraging, and LSC believes it has authority under the Legal Services Corporation Act to establish this program. LSC is directed to submit a reprogramming request to the Committees on Appropriations before starting the program.

Headquarters management.—Language is incorporated from the Senate report regarding LSC headquarters' efforts to incite stakeholders into actively lobbying Congress on budget issues with Federal dollars appropriated to headquarters. The funding expended in these efforts may be better used towards providing services to those in need of LSC counseling in the field. LSC is directed to re-examine its headquarters structure and identify areas of duplication for consolidation or elimination in an effort to provide a more efficient and cost-saving structure,

and send more funding to those in the field in need of LSC services. LSC shall report these findings to the Committees on Appropriations within 90 days of enactment of this Act.

ADMINISTRATIVE PROVISIONS—LEGAL SERVICES CORPORATION

Unauthorized uses of funds.—The Inspector General of the LSC is encouraged to conduct annual audits of LSC grantees to ensure that funds are not being used in contravention of the restrictions on engaging in political activities or any of the other restrictions by which LSC grantees are required to abide. The removal of funds from any LSC grantee determined by the Inspector General to have engaged in unauthorized political activity is recommended.

Allocation of basic field grants.—Language, modified from H.R. 5326 of the 112th Congress, making a technical change to the allocation formula for basic field grants is included. The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134) required that the allocation for grantees in each geographic area be based on poverty statistics from the "most recent decennial census." The Census Bureau has since stopped collecting poverty data in the decennial census and instead collects those data in the American Community Survey (ACS). The recommended language alters the formula to reflect this shift. Since ACS data are released more frequently, the language allows reallocation of funding every three years. The language also provides a two-year phase in of the changes. The phase in, which was not included in H.R. 5326 of the 112th Congress, allows grantees to adjust more easily to changes in funding allocations. It is disappointing that LSC waited until the fiscal year 2013 budget request to seek this change, long after it was known that these data would no longer be made available in the decennial census.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

This Act includes \$3,081,000 for the Marine Mammal Commission.

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

This Act includes \$51,251,000 for the Office of the U.S. Trade Representative.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

This Act includes \$5,121,000 for the State Justice Institute.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

This Act includes the following general provisions:

Section 501 prohibits the use of funds for publicity or propaganda purposes unless expressly authorized by law.

Section 502 prohibits any appropriation contained in this Act from remaining available for obligation beyond the current fiscal year unless expressly provided.

Section 503 provides that the expenditure of any appropriation contained in the Act for any consulting service through procurement contracts shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law or existing Executive Order issued pursuant to existing law.

Section 504 provides that if any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the remainder of the Act and the application of other provisions shall not be affected.

Section 505 prohibits a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employee; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any function or activity presently performed by Federal employees; (7) augments funds for existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds. Language is included requiring the Department of Justice to notify the Committees 45 days in advance of any such reprogramming.

Section 506 provides that if it is determined that any person intentionally affixes a "Made in America" label to any product that was not made in America that person shall not be eligible to receive any contract or subcontract with funds made available in this Act. The section further provides that to the extent practicable, with respect to purchases of promotional items, funds made available under this Act shall be used to purchase items manufactured, produced or assembled in the United States or its territories or possessions.

Section 507 requires quarterly reporting to Congress on the status of balances of appropriations.

Section 508 provides that any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions in the Act shall be absorbed within the budgetary resources available to the department or agency, and provides transfer authority between appropriation accounts to carry out this provision, subject to reprogramming procedures.

Section 509 prohibits funds made available in this Act from being used to promote the sale or export of tobacco or tobacco products or to seek the reduction or removal of foreign restrictions on the marketing of tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type. This provision is not intended to impact routine international trade services to all U.S. citizens, including the processing of applications to establish foreign trade zones.

Section 510 delays the obligations of any receipts deposited into the Crime Victims Fund in excess of \$730,000,000 until the following fiscal year.

Section 511 prohibits the use of Department of Justice funds for programs that discriminate against or denigrate the religious or moral beliefs of students participating in such programs.

Section 512 prohibits the transfer of funds in the Act to any department, agency or instrumentality of the United States Government, except for transfers made by, or pursuant to authorities provided in, this Act or any other appropriations Act.

Section 513 provides that funds provided for E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

Section 514 permanently requires the Bureau of Alcohol, Tobacco, Firearms and Explosives to include specific language in any release of tracing study data that makes clear that trace data cannot be used to draw broad conclusions about firearms-related crimes.

Section 515 requires certain timetables of audits performed by Inspectors General of the Departments of Commerce and Justice, the National Aeronautics and Space Administration, the National Science Foundation, and the Legal Services Corporation and sets limits and restrictions on the awarding and use of grants or contracts funded by amounts appropriated by this Act.

Section 516 prohibits funds for information technology acquisitions unless the acquiring department or agency has assessed the risk of cyber-espionage or sabotage. Any acquisition of information technology produced by entities that are owned, directed, or subsidized by the People's Republic of China must be preceded by a determination that the acquisition is in the national interest. Each department or agency covered under section 516 shall submit a quarterly report to the Committees on Appropriations of the House and the Senate describing assessments made pursuant to this section and any associated findings or determinations of risk.

Section 517 prohibits the use of funds in this Act to support or justify the use of torture by any official or contract employee of the United States Government.

Section 518 prohibits the use of funds in this Act to require certain export licenses.

Section 519 prohibits the use of funds in this Act to deny certain import applications regarding "curios or relics" firearms, parts, or ammunition.

Section 520 prohibits the use of funds to include certain language in trade agreements.

Section 521 prohibits the use of funds in this Act to authorize or issue a National Security Letter (NSL) in contravention of certain laws authorizing the Federal Bureau of Investigation to issue NSLs.

Section 522 requires congressional notification for any project within the Departments of Commerce or Justice, the National Science Foundation or the National Aeronautics and Space Administration totaling more than \$75,000,000 that has cost increases of at least 10 percent.

Section 523 deems funds for intelligence or intelligence-related activities as authorized by the Congress until the enactment of the Intelligence Authorization Act for fiscal year 2013.

Section 524 requires the departments and agencies funded in this Act to establish and maintain on the homepages of their Internet websites direct links to the Internet websites of their Offices of Inspectors General, and a mechanism by which individuals may anonymously report cases of waste, fraud or abuse.

Section 525 prohibits contracts or grant awards in excess of \$5,000,000 unless the prospective contractor or grantee certifies that the organization has filed all Federal tax returns, has not been convicted of a criminal offense under the IRS Code of 1986, and has no unpaid Federal tax assessment.

(RESCISSIONS)

Section 526 provides for rescissions of unobligated balances in the Department of Justice. The rescission from the Federal Prison System, Buildings and Facilities account rescinds all remaining balances associated with the "Acquire Existing Institution for Higher Security FCI" project. With respect to rescissions of unobligated balances from the Office on Violence Against Women, the Office of Justice Programs and the Office of Community Oriented Policing Services, it is expected that rescissions will be from grant deobligations and recoveries.

Section 527 prohibits the use of funds in this Act in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws.

Section 528 prohibits the use of funds in this Act for the purchase of first class or premium air travel.

Section 529 prohibits the use of funds to pay for the attendance of more than 50 department or agency employees at any single conference outside the United States, unless the conference is a law enforcement training or operational event where the majority of Federal attendees are law enforcement personnel stationed outside the United States.

Section 530 includes language regarding detainees held at Guantanamo Bay.

Section 531 includes language regarding facilities for housing detainees held at Guantanamo Bay.

Section 532 prohibits the distribution of funds contained in this Act to the Association of Community Organizations for Reform Now or its subsidiaries.

Section 533 includes language regarding the purchase of light bulbs.

Section 534 requires any department, agency or instrumentality of the United States Government receiving funds appropriated under this Act to track and report on undisbursed balances in expired grant accounts.

Section 535 prohibits the use of funds by the National Aeronautics and Space Administration or the Office of Science and Technology Policy to engage in bilateral activities with China or a Chinese-owned company unless the activities are authorized by subsequent legislation or NASA or OSTP have made a certification pursuant to subsections (c) and (d) of this section.

Section 536prohibits the use of funds to relocate the Bureau of the Census or employees from the Department of Commerce to the jurisdiction of the Executive Office of the President.

Section 537 requires the Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation to submit spending plans.

Section 538 prohibits funds made available by this Act from being used to deny the importation of shotgun models if no application for the importation of such models, in the same configuration, had been denied prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

Section 539prohibits the use of funds to establish or maintain a computer network that does not block pornography, except for law enforcement purposes.

Section 540prohibits funds made available by this Act from being used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 541 prohibits funds made available by this Act from being used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or

have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 542 prohibits funds made available by this Act from being used to pay the salaries of an employee of the Department of Commerce to use amounts in the Fisheries Enforcement Asset Forfeiture Fund of NOAA for any purposes other than specified in the law.

Section 540 from H.R. 5326 of the 112th Congress regarding an EEOC rule on age discrimination is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 542 from S. 2323 of the 112th Congress regarding vehicle fleets is not included. Instead, all agencies and departments funded under this Act are directed to send to the Committees on Appropriations, at the end of the fiscal year, a report containing a complete inventory of the total number of vehicles owned, permanently retired, and purchased during fiscal year 2013 as well as the total cost of the vehicle fleet, including maintenance, fuel, storage, purchasing, and leasing.

Section 543 from H.R. 5326 of the 112th Congress regarding fisheries catch shares is not included. Instead, direction to NOAA on this subject is included under title I of this statement.

Section 544 from H.R. 5326 of the 112th Congress regarding EEOC guidance on criminal records is not included. Direction to EEOC on this subject is provided under title IV of this statement.

Section 545 from H.R. 5326 of the 112th Congress, which prohibits the Census Bureau from enforcing section 13 U.S.C. 221(a) regarding the American Community Survey is not included. Instead, direction to the Census Bureau and the Department of Commerce regarding these activities is included under title I of this statement.

Section 546 from H.R. 5326 of the 112th Congress is not included. Direction to the Department of Justice on Operation Fast and Furious is provided under the Department of Justice, General Administration heading under title II of this statement.

Section 549 from H.R. 5326 of the 112th Congress regarding certain court settlements is not included. On February 9, 2012, the Department of Justice announced that the Federal government, along with 49 State attorneys general, reached a landmark \$25,000,000,000 settlement with the nation's five largest banks. It is recognized that investors in mortgage-backed securities (MBS) were excluded from negotiations with respect to the settlement, and are concerned about the effect the settlement will have on their interests. MBS investors include State retirement systems, 401(k) plans, public and private pension plans, insurance company annuities, and mutual funds. Because the details of the settlement agreement will likely never be known to the public, the Department of Justice is directed to study both the efforts of the five largest banks to comply with the settlement and the impact of the settlement on the revenue of MBS trusts, and submit a report to the Committees on its findings not later than one year after the date of enactment of this Act.

Section 553 from H.R. 5326 of the 112th Congress regarding the National Ocean Policy is not included. Instead, direction to NOAA regarding these activities is included under title I of this statement.

Section 554 from H.R. 5326 of the 112th Congress regarding vehicle efficiency standards is not included. The departments and agencies funded under this Act are expected to adhere to the guidance of Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011, and to notify the Committees on Appropriations regarding any vehicle leases or purchases that are not in accordance with that guidance.

Section 562 from H.R. 5326 of the 112th Congress regarding turtle excluder devices is not included. Instead, direction to NOAA regarding this issue is included under title I of this statement.

Section 564 from H.R. 5326 of the 112th Congress regarding the National Science Foundation's (NSF) Climate Change Education (CCE) program is not included. However, within the amounts provided to NSF in title III of this Act, NSF shall spend no more than \$3,130,000 on CCE.

Section 565 from H.R. 5326 of the 112th Congress regarding NSF's political science program is not included. As part of the spending plan required by this Act, NSF is directed to provide: (1) a detailed description of how the agency proposes to allocate funds among the

various NSF directorates, divisions and programs; (2) a justification for how this proposed allocation of funds appropriately reflects national scientific and policy priorities; and (3) a discussion of the relative contributions of various scientific disciplines to innovation, economic growth and national security.

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013

[In thousands of dollars]

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	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
TITLE I—DEPARTMENT OF COMMERCE					
International Trade Administration	405.000	500 400	400 500	17.500	40.001
Operations and administration Offsetting fee collections	465,000 - 9,439	526,439 - 9,439	482,538 11,360	+ 17,538 - 1,921	- 43,901 - 1,921
Direct appropriation	455,561	517,000	471,178	+ 15,617	- 45,822
Bureau of Industry and Security	60 721	69.040	67.605	2.026	254
Operations and administration Defense function	69,721 31,279	68,049 34,279	67,695 34,101	- 2,026 + 2,822	- 354 - 178
Total, Bureau of Industry and Security	101,000	102,328	101,796	+ 796	-532
Economic Development Administration Economic Development Assistance Programs	220,000	182,000	187,300	- 32,700	+ 5,300
Disaster relief category	200,000	102,000	107,300	- 32,700 - 200,000	+ 5,500
Subtotal	420,000	182,000	187,300	- 232,700	+ 5,300
Salaries and expenses	37,500	37,719	37,500		-219
Total, Economic Development Administration	457,500	219,719	224,800	- 232,700	+ 5,081
Minority Business Development	30,339	28,689	28,689	- 1,650	
Economic and Statistical Analysis	,	,	,	,	
Salaries and expenses	96,000	100,269	100,228	+ 4,228	-41
Bureau of the Census Salaries and expenses	253,336	259,175	256,255	+ 2,919	- 2.920
Periodic censuses and programs	635,000	711,250	649,953	+ 14,953	- 61,297
Total, Bureau of the Census	888,336	970,425	906,208	+ 17,872	− 64,217
National Telecommunications and Information Administration Salaries and expenses	45,568	46,925	45,994	+ 426	- 931
United States Patent and Trademark Office	43,300	40,323	43,334	T 420	- 551
Salaries and expenses, current year fee funding	2,678,000	2,933,241	2,933,241	+ 255,241	
Offsetting fee collections	- 2,678,000	- 2,933,241	- 2,933,241	- 255,241	
Total, United States Patent and Trademark Office					
Scientific and Technical Research and Services	567,000	648,000	621,173	+ 54,173	- 26,827
(transfer out)	(-9,000) 128,443	(-9,000) 149,000	(-9,000) 143,000	+ 14,557	- 6,000 (+ 500)
Manufacturing extension partnerships Advanced manufacturing technology consortia Construction of research facilities	(128,443)	(128,000) (21,000) 60,000	(128,500) (14,500) 60,000	(+57) (+14,500) +4,619	(+500) (-6,500)
Working Capital Fund (by transfer)	(9,000)	(9,000)	(9,000)	+ 4,013	
Total, National Institute of Standards and Technology	750,824	857,000	824,173	+73,349	- 32,827
National Oceanic and Atmospheric Administration Operations, Research, and Facilities	3,022,231	3,042,460	3,112,614	+ 90,383	+ 70,154
(by transfer) Promote and Develop Fund (transfer out)	(109,098) (-109,098)	(119,064) (-119,064)	(119,064) (-119,064)	(+9,966) (-9,966)	T 70,134
Subtotal	3,022,231	3,042,460	3,112,614	+ 90,383	+ 70,154
Procurement, Acquisition and Construction	1,817,094	1,965,736	1,926,036	+ 108,942	- 39,700
Pacific Coastal Salmon Recovery	65,000 350	50,000 350	65,000 350		+ 15,000
Fisheries Finance Program Account Fisheries Enforcement Asset Forfeiture Fund	-11,000 8,000	-4,000	-4,000	+ 7,000 - 8,000 + 8,000	
Offsetting receipts Sanctuaries Enforcement Asset Forfeiture Fund Offsetting receipts	- 8,000 1,000 - 1,000			- 1,000 + 1,000	
Total, National Oceanic and Atmospheric Administration	4,893,675	5,054,546	5,100,000	+ 206,325	+ 45,454
Departmental Management	1,000,070	0,001,010	0,100,000	1 200,020	. 10,101
Salaries and expenses Renovation and Modernization	57,000 5,000	56,000 2,040	56,000 2,040	- 1,000 - 2,960	
Office of Inspector General	26,946	28,753	28,753	+ 1,807	
Total, Departmental Management	88,946	86,793	86,793	- 2,153	
Total, title I, Department of Commerce	7,807,749 (7,607,749)	7,983,694 (7,983,694)	7,889,859 (7,889,859)	+ 82,110 (+ 282,110)	- 93,835 (- 93,835)
Displations Disaster relief category (by transfer)	(200,000) 118,098	128,064	128,064	(-200,000) +9,966	
(transfer out)	-118,098	- 128,064	- 128,064	- 9,966	
TITLE II—DEPARTMENT OF JUSTICE					
General Administration	110,000	107.007	110,000		10.045
Salaries and expenses	110,822 20,000	127,667	110,822	- 20,000	- 16,845
Justice Information Sharing Technology Tactical Law Enforcement Wireless Communications	44,307 87,000	33,426	33,426	- 10,881 - 87,000	
Total, General Administration	262,129	161,093	144,248	- 117,881	- 16,845
Administrative review and appeals Transfer from immigration examinations fee account	305,000 - 4,000	313,438 - 4,000	313,438 - 4,000	+ 8,438	
Direct appropriation	301,000	309,438	309,438	+ 8,438	
Detention Trustee Office of Inspector General	1,580,595 84,199	85,985	85,985	- 1,580,595 + 1,786	
United States Parole Commission	04,133	00,300	00,700	+1,700	
Salaries and expenses	12,833	12,772	12,772	-61	

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued [In thousands of dollars]

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	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
Legal Activities Salaries and expenses, general legal activities	863,367	903,603	881,000	+ 17,633	- 22,603
Vaccine Injury Compensation Trust Fund	7,833	7,833	7,833		
Salaries and expenses, Antitrust Division	159,587 108,000	164,753 115,000	162,170 115,000	+ 2,583 - 7,000	- 2,583
Direct appropriation	51,587	49,753	47,170	-4,417	- 2,583
Salaries and expenses, United States Attorneys United States Trustee System Fund Offsetting fee collections	1,960,000 223,258 - 223,258	1,974,378 227,407 — 227,407	1,969,687 223,258 - 223,258	+ 9,687	-4,691 $-4,149$ $+4,149$
Direct appropriation Salaries and expenses, Foreign Claims Settlement Commission	2,000	2,139	2,000		— 139
Saraires and expenses, futerin damins sectionistic commission Fees and expenses of witherses Salaries and expenses, Community Relations Service	270,000 11,456	270,000 12,036	270,000 12,036	+ 580	- 100
Assets Forfeiture Fund	20,948	20,948	20,948		
Total, Legal Activities	3,187,191	3,240,690	3,210,674	+ 23,483	- 30,016
Salaries and expenses Construction	1,174,000 15,000	1,203,488 10,000	1,196,000 10,000	+ 22,000 - 5,000	-7,488
Federal Prisoner Detention	13,000	1,668,235	1,647,383	+1,647,383	- 20,852
Total, United States Marshals Service	1,189,000	2,881,723	2,853,383	+ 1,664,383	- 28,340
Salaries and expenses	87,000	90,039	90,039	+ 3,039	
Interagency Law Enforcement Interagency Crime and Drug Enforcement	527,512	524,793	521,793	- 5,719	-3,000
Federal Bureau of Investigation Salaries and expenses	3,376,000	3,403,030	3,320,657	- 55,343	- 82 ,373
Counterintelligence and national security	4,660,991	4,747,991	4,864,350	+ 203,359	+ 116,359
Subtotal	8,036,991 80,982	8,151,021 80,982	8,185,007 80,982	+ 148,016	+ 33,986
Total, Federal Bureau of Investigation	8,117,973	8,232,003	8,265,989	+ 148,016	+ 33,986
Drug Enforcement Administration Salaries and expenses	2,347,000	2,403,504	2,403,504	+ 56,504	
Diversion control fund Subtotal	- 322,000 2,025,000	- 352,600 2,050,904	- 352,600 2.050.904	- 30,600 + 25,904	
Construction	10,000	2,030,304	2,030,304	- 10,000	
Total, Drug Enforcement Administration	2,035,000	2,050,904	2,050,904	+ 15,904	
Bureau of Alcohol, Tobacco, Firearms and Explosives Salaries and expenses	1,152,000	1,153,345	1,153,345	+ 1,345	
Federal Prison System	1,132,000	1,100,040	1,100,040	1 1,040	
Salaries and expenses Buildings and facilities	6,551,281 90,000	6,820,217 99,189	6,820,217 90,000	+ 268,936	
Limitation on administrative expenses, Federal Prison Industries, Incorporated	2,700	2,700	2,700		
Total, Federal Prison System	6,643,981	6,922,106	6,912,917	+ 268,936	- 9,189
Office on Violence Against Women: Prevention and prosecution programs	412,500	268,000	416,500	+ 4,000	+ 148,500
(by transfer)		(145,000)			(-145,000)
Research, evaluation and statistics	113,000 1,162,500	136,000 781,500	127,000 1,140,418	+ 14,000 - 22,082	- 9,000 + 358,918
(by transfer)	262,500	(221,000) 245,000	279,500	+ 17,000	(- 221,000) + 34,500
Public safety officer benefits: Death benefits	62,000	62,000	62,000		
Disability and education benefits	16,300 78,300	16,300 78,300	16,300 78,300		
Total, Office of Justice Programs	1,616,300	1,240,800	1,625,218	+ 8,918	+ 384,418
Community Oriented Policing Services: COPS programs	198,500	289,587	222,500	+ 24,000	- 67,087
Total, State and Local Law Enforcement Activities	2,227,300	1,798,387	2,264,218	+ 36,918	+ 465,831
Total, title II, Department of Justice	27,407,713	27,463,278	27,875,705	+ 467,992	+ 412,427
TITLE III—SCIENCE Office of Science and Technology Policy	4,500	5,850	5,850	+ 1,350	
National Aeronautics and Space Administration Science	5,090,000	4,911,200	5,144,000	+ 54,000	+ 232,800
Operational Satellite Acquisition Aeronautics	569,900	551,500	570,000	+ 34,000	+ 232,800
Space Technology Exploration	575,000 3,770,800	699,000 3,932,800	642,000 3,887,000	+ 67,000 + 116,200	- 57,000 - 45,800
Space Operations	4,233,600 138,400	4,013,200 100,000	3,953,000 125,000	- 280,600 - 13,400	- 60,200 + 25,000
Cross-agency Support	2,995,000 390,000	2,847,500 619,200	2,823,000 680,000	- 172,000 + 290,000	- 24,500 + 60,800
Office of Inspector General	37,300	37,000	38,000	+ 700	+ 1,000
Total, National Aeronautics and Space Administration	17,800,000	17,711,400	17,862,000	+ 62,000	+ 150,600

COMPARATIVE STATEMENT OF NEW BUDGET AUTHORITY FISCAL YEAR 2013—Continued [In thousands of dollars]

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	Fiscal year 2012 enacted	Fiscal year 2013 request	Fiscal year 2013 bill	Bill vs enacted	Bill vs request
National Science Foundation					
Research and related activities Defense function	5,651,000 68,000	5,915,280 68,000	5,915,280 68,000	+ 264,280	
Subtotal	5,719,000	5,983,280	5,983,280	+ 264,280	
Major Research Equipment and Facilities Construction Education and Human Resources Agency Operations and Award Management Office of the National Science Board Office of Inspector General	167,055 829,000 299,400 4,440 14,200	196,170 875,610 299,400 4,440 14,200	196,170 895,610 299,400 4,440 14,200	+ 29,115 + 66,610	+20,000
Total, National Science Foundation	7,033,095	7,373,100	7,393,100	+ 360,005	+ 20,000
Total, title III, Science	24,837,595	25,090,350	25,260,950	+ 423,355	+ 170,600
TITLE IV—RELATED AGENCIES Commission on Civil Rights					
Salaries and expenses	9,193	9,400	9,400	+ 207	
Equal Employment Opportunity Commission					
Salaries and expenses	360,000	373,711	370,000	+ 10,000	-3,711
Salaries and expenses	80,000	82,800	83,000	+ 3,000	+ 200
Payment to the Legal Services Corporation Salaries and expenses	348,000	402,000	365,000	+ 17,000	- 37,000
Marine Mammal Commission Salaries and expenses	3,025	3,081	3,081	+ 56	
Office of the U.S. Trade Representative	51.051	F2 041	51.051		1 700
Salaries and expenses	51,251	53,041	51,251		-1,790
Salaries and expenses	5,121	5,121	5,121		
Total, title IV, Related Agencies	856,590	929,154	886,853	+ 30,263	- 42,301
TITLE V—GENERAL PROVISIONS					
Emergency steel, oil gas guarantees prgm (rescission) NTIA, Information Infrastructure grants (rescission) NTIA, Public Telecommunications Facilities, Planning and Construction Foreign Fishing Observer Fund (rescission) Digital TV Transition Public Safety Fund (rescission) DOI, Working Capital Fund (rescission) (Sec. 526a) DOI, Assets Forfeiture Fund (rescission) (Sec. 526a) DOI, Assets Forfeiture Fund (rescission) US Marshails Salaries and expenses (rescission) US Marshails Salaries and expenses (rescission) ATF (rescission)	-700 -2,000 -2,750 -350 -4,300 -40,000 -675,000		26,000 722,697	+700 +2,000 +2,750 +350 +4,300 +14,000 -47,697 	-47,697 +162,226 +14,400 +12,400
ATF Violent Crime Reduction (rescission) (Sec. 526a) DEA, Salaries and expenses (rescission) FPS, Buildings and facilities (rescission) (Sec. 526a) Violence against women prevention and prosecution programs (rescission) (Sec. 526a) Office of Justice programs (rescission) (Sec. 526a) COPS (rescission) (Sec. 526a) NASA (rescission) Miscellaneous reductions (Sec. 558) Miscellaneous reduction, security category (Sec. 558)	- 10,000 - 45,000 - 15,000 - 55,000 - 23,605 - 30,000	-1,028 -15,600 -75,000 -6,000 -43,000 -12,200	- 1,028 - 64,700 - 12,000 - 43,000 - 12,200	-1,028 + 10,000 -19,700 +3,000 +12,000 +11,405 +30,000	+ 15,600 + 10,300 - 6,000
Total, title V, Rescissions	- 905,905	- 1,042,854	- 881,625	+ 24,280	+ 161,229
DIVISION G					
Section 3001 (rescission) (Non-security)			- 1,157,000	- 1,157,000	-1,157,000
Grand total Appropriations Rescissions Disaster relief category (by transfer) (transfer out)	60,003,742 (60,709,647) (-905,905) (200,000) 118,098 -118,098	60,423,622 (61,913,367) (-1,042,854) 	59,874,742 (61,913,367) (-2,430,625) 	$\begin{array}{c} -521,000 \\ (+1,203,720) \\ (-1,524,720) \\ (-200,000) \\ +9,966 \\ -9,966 \end{array}$	- 940,880 (+ 446,891) (- 1,387,771)